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(Number 18)

Child Labor Legislation

*SCHEDULES OF
EXISTING STATUTES AND
THE STANDARD CHILD LABOR LAW
embodying the best provisions of the most
effective measures now in force*

HANDBOOK 1907

COMPILED BY
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The American Academy of Political and Social Science

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INTRODUCTION.

This fifth annual issue of the Handbook reveals more clearly than its predecessors the utter lack of adequate protection for working children in the United States. Not merely does the recurring black list of states and territories in the schedules show what remains to be done in those states, it indicates that the United States of America, as a nation, fails to rank with the enlightened countries of Europe—with England, France, Germany, Switzerland, Holland and Scandinavia—when classed according to its care of its working children. Indeed, it is with Russia rather than with these nations that the United States compares, for Russia also permits little children to work all night.

The enlightened nations of Europe enact one law for the whole nation, leaving to the local authorities only the duty of enforcement. **The Federal Government.** The Congress of the United States enacts protective measures, for instance, for the benefit of the cotton and glass industries, but leaves the protection of the children in those industries to the legislatures, with the result that many thousand little boys, in many states, are left free to labor all night in glass works, while both little girls and little boys work all night in cotton mills in the southern states.

The federal government does not even afford up-to-date information concerning the children. The census table given on p. 64 is now seven years old. The publication of this Handbook, year after year, by a volunteer organization, is a standing reproach. Far more appropriately might the Handbook have appeared for twenty years past, as a January bulletin of the Department of Labor or of the Department of Education, or of both in co-operation.

An important step forward will be taken, when Congress adopts the proposed bill for a Children's Bureau, for research and publicity, dealing with all conditions which affect the life, health, welfare and efficiency of the children of the nation. The bill is given on page 53.

A second bill still pending before Congress provides for the working children in the District of Columbia. It is given in full in order that every reader of the Handbook may urge upon his or her senator and representative the necessity of voting for it, that the nation's capital may be removed from the black list and may become an example to the rest of the country. See page 53.

The third bill now pending before Congress is the Beveridge child labor bill (see p. 56), which proposes to exclude from interstate commerce all products of mines and factories which employ children under the age of fourteen years. This bill marks an epoch in the history of federal legislation. For the first time, the principle is embodied in a proposed law that children in Georgia, Florida or Alabama have the same right to childhood as children in Oregon or Illinois; that the nation accepts the task of safeguarding its future citizens against overwork in childhood, as it already protects

consumers against the transportation of poisons and adulterations in their foodstuffs.

The present confusion of state laws inflicts cruel neglect upon children in states having least legislation. It is moreover unjust to employers in the enlightened states to subject them to the competition of industry in states which have no laws or sham laws protecting boys and girls.

**How Laws are
Weakened.**

Attention is called to certain principles which should be avoided in framing new laws and amending old ones.

The absence of a closing hour at night is a most serious weakness in a child labor law. No law affords real protection against nightwork—the greatest menace to the children—unless it fixes a definite end of the working day. This is also the only way to enforce laws restricting hours of labor by the day and by the week. Without a closing hour, all such restrictions are shams.

Attendance at an evening school by working children under the age of sixteen years should never be prescribed or tolerated. This cruel and futile requirement was, during 1905, abolished in Massachusetts and replaced by the requirement that all children under sixteen years of age must be able to read and write in the English language before beginning to work. Unfortunately, the night school requirement, abolished in one state, was enacted in two others, and is now in force in nine states.

The early escape from school leaves large numbers of children free to work too young. Thus eleven states have no compulsory school attendance law. In Maryland compulsory attendance ends at the twelfth birthday in Baltimore and Alleghany County, and there is none elsewhere in the state; in Pennsylvania and Rhode Island it ends at the thirteenth birthday, and in seventeen states at the fourteenth. The end of compulsory school life is the beginning of toil.

In eleven states where there are no officials there is no enforcement. Where officials exist they are often appointed for political reasons and removed with every change of administration. A black chapter of American history would be a full and truthful account of the removal of factory inspectors and labor commissioners by reason of faithful performance of their duty.

No state has ever maintained a sufficient staff of officials for the perfect protection of its children. Inspectors insufficient in number cannot enforce the law, however faithful and competent they may be. Money for salaries, traveling and legal expenses is needed. Small appropriations (in some cases none whatever) indicate hostility to enforcement.

The method of issuing working papers may contribute largely to weaken laws. Certain states have recently placed the issuance of "working-papers" in the hands of the factory inspectors. It is, however, the duty of inspectors to inspect, and to prosecute violations of the law. Everything which calls them away from the continuous performance of these two duties is an injury to the service. The appropriate officials for issuing "working-papers" are the local boards of health, in co-operation with the local boards of education. In this respect, the law of New York excels the laws of all the other states in proved efficiency, and may well be adopted as the standard. Notaries public and factory inspectors should be, in all cases, debarred from issuing "working-papers," and factory inspectors should be kept strictly to the tasks of inspection and prosecution. How far the present usage differs from this standard

may be seen by reference to the records of prosecutions in schedule Hb, and to the list of authorities issuing "working-papers" in schedule E.

Faithfulness and skill on the part of officials who issue working-papers are as important as the same qualities in inspectors and truant officers. Affidavits of parent or guardian, still more their verbal or written statements, are utterly worthless.

On this account the decision of Judge Staake, of the Philadelphia County Quarter Sessions, February, 1906, is the more to be condemned since it declared unconstitutional those sections of the Pennsylvania law which require proof of age and completion of an educational minimum. Instead of the documentary proof of age and the educational requirement which the legislature prescribed, such as other enlightened courts have held constitutional and desirable, the useless affidavit of parent or guardian is now accepted as proof of age in Pennsylvania.

Certain industries have hitherto obtained exemptions for which there is no tenable basis. Thus, in Pennsylvania the glass industry has retained the privilege of employing boys of fourteen years all night, while other employers are restricted to nine o'clock.

In Delaware, Iowa, Kentucky and Maryland canneries are exempted from the provisions of the law. This is particularly injurious for the children, because the busy season in this industry falls in the months of excessive heat, rendering work peculiarly exhausting.

California exempts all agricultural, horticultural, viticultural or domestic labor during the time the public schools are not in session, or during other than school hours. This makes it possible to require children to do an unlimited day's work in addition to going to school, irrespective of their age.

In every state in which domestic labor is exempted, a premium is placed upon work at home, and the sweating-system is fostered.

Many child labor laws are seriously weakened by exemptions of classes of children who most need protection. Such are orphans, children of widowed mothers or disabled fathers, and those exempted by reason of poverty. This last term is so elastic as to amount, in many cases, to complete nullification of the intent of the statute.

Colorado strengthens its child labor and compulsory education laws by means of its adult delinquency law. This affords such valuable protection to telegraph and messenger boys and many other classes of young workers that it is given in full on p. 50, in the hope that all the states may adopt it as Illinois, Nebraska, Wisconsin and other states have already done.

A great gain is the lengthening list of states which have an early closing hour for children to the age of sixteen years. This comprises Michigan, Oregon, Illinois, Kentucky, New York and Ohio. Michigan and Oregon fix six p. m., the other states seven p. m.

During the past year, the District of Columbia adopted a compulsory education law and the following states changed their child labor laws: Georgia, Iowa, Louisiana, Kentucky, Maryland, Massachusetts and New York.

**Adult
Delinquency
Law.**

Recent Gains

SCHEDULE A—AGE LIMIT

The Age Below Which Child Labor Is Prohibited varies from sixteen to ten years. The number of employments prohibited also varies greatly—from all employment during school hours to mine work only. Obviously the states which prohibit child labor in several occupations have more effective legislation than those which prohibit it in only one or two, even though the age limit be the same.

Nine states prohibit employment under 14 years of age in stores, factories and one or more of the following places of employment: offices, laundries, hotels, theatres, bowling alleys, bakeries; eight states prohibit employment in stores and factories, while twelve states limit their prohibition to factories only. Twenty-two states prohibit employment of children in mines to 14 years.

For the first time, the states which set an age limit for the telegraph and telephone service are separately listed. Eleven states prohibit employment in the messenger service under 14 years, with certain exceptions in vacation; one state (Maryland) under 12 years. Washington and Wisconsin prohibit employment of girls under 18 in the messenger service.

Maine, New Hampshire and Vermont are the only remaining northern states which keep the 12 year age limit (in vacation). The importance of this lies in the fact that all three states have cotton mills employing children.

Nebraska is the last northern state to keep the 10 years age limit (in vacation.)

The District of Columbia, Nevada and five territories have *no age limit*.

California, Delaware, Iowa, Kentucky and Maryland have laws protecting certain classes of children, but permit exemptions of an unusually wholesale character—leaving the children unprotected in canneries, an industry in which the hours of labor inevitably tend to become irregular and exhaustingly long.

The pressure of competition of the cotton mills of Georgia and South Carolina upon mills in northern states is frequently urged as a reason for deferring much needed legislation in such states, until Georgia and South Carolina effectively restrict the employment of children. While the new law enacted July, 1906, removes Georgia from the black list of states having no protection whatsoever for working children, the present laws of the southern states will afford only a minimum of restriction upon employment of very young children, until they provide for factory inspectors, truant officers and effective registration of births.

The prominence of the District of Columbia as containing the capital of the nation, and the fact that many children are employed there as messengers and in the street trades, make it particularly desirable that the District should speedily be removed from the list of states, which have no age limit in the employment of children.

Group I.—Age Limit for Employment, 16 Years

Illinois—In mines and dangerous occupations specified by law. (See Schedule F, Dangerous Occupations)

Montana—In mines

Pennsylvania—*Inside* anthracite mines

Texas—In any mine or distillery

Group II.—Age Limit for Employment, 14 Years

1. In factories, stores, or in any of the following: offices, laundries, hotels, theatres, bowling alleys.

Illinois
 Iowa (applies also to slaughter or packing-houses; not to hotels, theatres, bowling alleys)
 Indiana (applies also to bakeries and renovating works; not to hotels, theatres, bowling alleys)
 Kentucky (applies to stores, laundries, printing establishments, except in vacation)
 Michigan (does not apply to theatres)
 New York (applies also to apartment houses)
 Ohio (applies also to all "establishments")
 Pennsylvania (applies to all places except those needing domestic, coal mining, or farm labor)
 Wisconsin (except children over twelve in vacation; for exemptions see p. 28)

2. In factories or stores.

Connecticut
 Massachusetts [tion; for exemptions see p. 27]
 Minnesota (except in mercantile establishments in vacation)
 Nebraska (except in vacation or unless certificate of 20 weeks school attendance is presented)
 Oregon (except in vacation; for exemptions see p. 27)
 Rhode Island
 Washington (for exemptions see p. 28)
 West Virginia (during school term)

3. In factories.

Arkansas (if illiterate)
 Colorado (for exemptions, see p. 27)
 Delaware (except in canneries and children of widows)
 Kansas (applies also to packing houses)
 Kentucky (unless child has no other means of support)
 Louisiana (applying to girls)
 Maine (to 15 years except in vacation, or unless certificate of 16 weeks' schooling is presented)
 Minnesota
 Missouri
 New Jersey
 Tennessee
 Texas (if illiterate)

4. In messenger service.

California
 Illinois
 Kentucky (except in vacation)
 Maryland (12 years)
 Michigan
 New York
 Ohio
 Oregon
 Pennsylvania
 Vermont (12 years in vacation; 15 years during school hours)
 Washington (15 years during school hours, unless school requirement has been complied with)
 Wisconsin (12 years in vacation)

Group II. (Continued)—Age Limit for Employment, 14 Years

5. In mines.

Alabama
Arkansas (to 16 if illiterate)
Colorado
Idaho
Illinois (to 16)
Indiana
Iowa
Kansas
Kentucky (unless child has no other means of support)
Minnesota
Missouri (to 16 if illiterate)
Montana (to 16)
New York
Ohio (to 15 years in school term)
Oregon
Pennsylvania—*outside* anthracite mines
South Dakota
Tennessee
Texas (to 16)
Utah
Washington
Wisconsin
Wyoming

6. In all employment during school hours.

Colorado (unless school requirement has been complied with)
Connecticut
Illinois
Massachusetts
Minnesota (unless school requirement has been complied with)
Missouri (unless certificate of school attendance is presented)
Montana (unless studies enumerated in school law have been completed; 16 years if illiterate)
New Hampshire (to 16 years if illiterate)
New York
North Dakota (except when employed by parent or guardian or unless certificate of 12 weeks' school attendance is presented)
Ohio (16 years, unless studies enumerated in school law have been successfully completed)
Oregon
South Dakota (unless certificate of 12 weeks' school attendance is presented)
Vermont (to 15 years)
Wisconsin
Washington (to 15 years unless school requirement has been complied with)

Group III.—Age Limit for Employment, 12 Years

1. In stores or factories

California (in vacation or if parent is disabled)
Maryland (applies also to offices, hotels, apartment houses, restaurants or other establishments or business, except in 19 counties from [June 1 to October 15])
West Virginia

2. In factories. { Alabama (except orphans and children between 10 and 12 years of widowed mothers or invalid fathers)
Arkansas (exceptions same as Alabama) [fathers]
Georgia (exceptions same as Alabama)
Louisiana (applying to boys)
New Hampshire
North Carolina
North Dakota
South Carolina (for exemptions see p.28)
Texas (if able to read and write)
Vermont (out of school hours and in vacation)
Virginia

3. In mines. { Iowa
Missouri
North Carolina
North Dakota
Pennsylvania (bituminous mines)
South Carolina
Virginia
West Virginia

Group IV.—Age for Employment, 10 Years

1. In stores or factories. { Nebraska (in vacation)
2. In factories. { Alabama (orphans or children of widowed mothers or disabled fathers)
Arkansas (same as Alabama) [disabled fathers]
Georgia (same as Alabama)

Group V.—Miscellaneous Age Limitations.

Florida—Under 15 may not be employed more than 60 days without consent of legal guardian

Mississippi.—Under 21 boys, under 18 girls, similar to Florida

Group VI.—Some Specific Exemptions

California—All agricultural, horticultural or viticultural work in vacation or out of school hours

Delaware—All canneries, all places of employment except factories, and applying to all children of widows

Kentucky—All handling of fruits and vegetables in season, delivery of tobacco at warehouses and preparing same for manufacture

Maryland—Farm labor

Pennsylvania—All domestic and farm labor

Rhode Island—All agricultural pursuits

South Carolina—Applying in June, July and August to all children who have attended school four months in the year; also to all orphans and children of disabled fathers or widowed mothers

Group VII.—No Age Limit Whatsoever

Arizona

District of Columbia

Hawaii

Indian Territory

Nevada

New Mexico

Oklahoma

SCHEDULE B—HOURS OF LABOR.

Work at Night Is Specifically Prohibited In Only 23 States. One state, Alabama, specifically authorizes night work for children between thirteen and sixteen years of age by restricting such night work to forty-eight hours in the week.

The District of Columbia and 28 states and territories fail to prohibit work at night after a definite closing hour.

Six states set an early closing hour for children under 16 years, Michigan and Oregon fixing 6 p. m. and Illinois, Kentucky, New York and Ohio 7 p. m.

Children have no positive immunity from night work, unless the hours are explicitly stated between which it is unlawful to employ them. Observance of laws forbidding night work is assured only when a legal closing hour is set. This is especially true in the messenger service, the glass industry, retail stores and textile trades which employ children generally at night, unless the closing hour is definitely fixed.

Those states which fail to restrict the hours of labor allowed in one *week* as well as in one *day* invite the possibility of seven days' labor. In Washington, for example, women and girls may not only work ten hours at night, they may do this every night, including Sunday.

The District of Columbia and 13 states and territories have *no time limit whatsoever*.

California, Delaware, Iowa, Kentucky and Maryland exempt large numbers of children from any restriction of hours in canneries and fruit preserving establishments.

Group I.—Work at Night Prohibited

From 6 P. M.—7 A. M.	{	Michigan.....	Children under 16 in factories.
		Oregon.....	Children under 16 in all gainful occupations.
		Virginia.....	Children under 14 in factories or mines.
6 P. M.—6 A. M.	{	Texas.....	Children under 14 in factories.
		Ohio.....	Girls under 18, boys under 16 in all gainful occupations.
		Illinois.....	Children under 16 in all gainful occupations.
		Minnesota.....	Children under 16 in all gainful occupations.
		Kentucky.....	Children under 16 in factories and mines.
7 P. M.—6 A. M.	{	New York.....	Children under 16 in factories,
		Massachusetts...	Children under 14 in all gainful occupations.
		Arkansas.....	Children under 14 in factories.
		Georgia.....	Children under 14 in factories after January 1, 1908.
		Alabama.....	Children under 13 in factories.

7 P. M.—7 A. M.	New York.....	Children under 16 in mercantile establishments in New York City and Buffalo.
8 P. M.—6 A. M.	{ Rhode Island...	Children under 16 in factories or stores
	{ South Carolina...	Children under 12 in factories.
8 P. M.—5 A. M.	Washington.....	Children under 16 in bakeries.
After 8 P. M.	{ Massachusetts....	Children under 14 in the street trades.
	{ Vermont.....	Children under 15 in factories or as messengers.
9 P. M.—5 A. M.	Missouri.....	Children under 16 in bakeries.
	{ Wisconsin	Children under 16 in all gainful occupations.
9 P. M.—6 A. M.	{ Pennsylvania ...	Children under 16 in all gainful occupations (except boys over 14 in certain industries who may work not more than 9 hours at night).
10 P. M.—7 A. M.	New York.....	Children under 16 in mercantile establishments except in New York City and Buffalo.
After 10 P. M.	New York.....	Newsboys under 14 in cities of the first and second class.
	{ California.....	Children under 16 in factories, stores, offices and laundries.
10 P. M.—6 A. M.	{ Massachusetts....	Women and minors in manufactures.
	{ Indiana.....	Women and girls in factories.
	{ Nebraska.....	Women and girls in factories, stores, hotels and restaurants.

Group II.—Work Restricted by the Day and by the Week

It is restricted to a specified number of hours in the 24, and to a specified number of hours in one week.

Hours

8 in 24	48 in one week....	Illinois.....	Minors under 16 in all gainful occupations.
9 in 24	54 in one week....	Delaware.....	Minors under 16 in factories.
9 in 24	54 in one week....	New York.....	Minors under 16 in commerce and factories.
9 in 24	54 in one week....	California.....	Minors under 18 in stores and factories.
10 in 24	55 in one week....	New Jersey.....	Minors under 16 in factories.
10 in 24	55 in one week....	Ohio.....	Minors under 18 in factories, stores or other establishments.
10 in 24	58 in one week....	Massachusetts....	Women and minors under 18 in stores and factories.
10 in 24	58 in one week....	Rhode Island	Women and minors under 16 in factories.
10 in 24	60 in one week....	New York.....	Women and minors under 18 in factories.
10 in 24	60 in one week....	Louisiana.....	Women and minors under 18 in factories, dressmaking or millinery establishments, telephone or telegraph offices.
10 in 24	60 in one week....	New Hampshire..	Women and minors under 18 in factories.
10 in 24	60 in one week....	Connecticut.....	Women and minors under 16 in stores and factories.

Group II. (Continued)—Work Restricted by the Day and by the Week

10 in 24	60 in one week	Michigan	Boys under 18, girls under 21 in stores and factories.
10 in 24	60 in one week	Indiana	Girls under 18, boys under 16 in stores, factories, laundries, renovating works, bakeries, printing offices.
10 in 24	60 in one week	Maine	Girls under 18, boys under 16 in factories.
10 in 24	60 in one week	Nebraska	Women and girls in factories, stores, hotels or restaurants.
10 in 24	60 in one week	{ Minnesota Wisconsin Oregon }	Minors under 16 in all gainful occupations.
10 in 24	60 in one week	Kentucky	Minors under 16 in factories and mines.
10 in 24	60 in one week	Arkansas	Minors under 14 in factories.
11 in 24	66 in one week	North Carolina	Minors under 18 in factories.
12 in 24	60 in one week	Pennsylvania	Women and minors under 16 in all gainful occupations.

Group III.—Work Restricted by the Day

It is restricted to a specified number of hours in the 24, but is not restricted to a specified number of hours in one week.

Hours	{ Arizona Colorado Montana Missouri Utah }	All persons in mines.
8 in 24	Colorado	Minors under 16 in factories, stores or any occupation deemed unhealthful or dangerous.
10 in 24	{ North Dakota South Dakota }	Women and minors under 18 in factories.
10 in 24	Washington	Women and girls.
10 in 24	Maryland	Children under 16 in factories and in Baltimore stores.
10 in 24	Virginia	Minors under 14 in factories.

Group IV.—Work at Night Authorized

It is restricted to a specified number of hours at night and to a specified number of hours by day.

Night Restriction.

48 hours in one week .. Alabama .. Children under 16 in factories.

Day Restriction.

66 hours in one week .. Alabama .. Children under 12 in factories.

Group V.—Some Specific Exemptions

California—All agricultural, horticultural or viticultural work in vacation or out of school hours.

Delaware—Applying to children of widowed mothers, establishments for canning vegetables and fruits.

Iowa—All places connected with canneries, in which no machirery is operated.

Kentucky—All handling of fruits and vegetables in season, delivery of tobacco at warehouses and preparing same for manufacture.

Pennsylvania—All domestic and farm labor.

Rhode Island—All agricultural pursuits.

South Carolina—Applying in June and July and August to all children who have attended school 4 months in the year.

Group VI.—No Closing Hour At Night

Alaska	Iowa	New Jersey
Arizona	Kansas	New Mexico
Colorado	Louisiana	North Carolina
Connecticut	Maine	North Dakota
Delaware	Maryland	Oklahoma
District of Columbia	Mississippi	South Dakota
Florida	Montana	Tennessee
Hawaii	Nebraska (applying to boys)	Utah
Idaho	Nevada	West Virginia
Indian Territory	New Hampshire	Wyoming
Indiana (applying to boys)		

Group VII.—No Time Limit Whatsoever

Alaska	Kansas	Oklahoma
District of Columbia	Mississippi	Tennessee
Florida	Nebraska (applying to boys)	Washington (applying to boys)
Hawaii	Nevada	West Virginia
Idaho	New Mexico	Wyoming
Indian Territory		

SCHEDULE C—COMPULSORY SCHOOL ATTENDANCE

In Respect to Compulsory Attendance Laws the points to be noted are:

1. The age to which attendance is required (which varies from sixteen to twelve years).
2. The length of the annual period of attendance (which varies from the whole school year to eight weeks).
3. Officers and penalties for enforcement (see p. 42).

The most effective means of preventing illegal employment of children is compulsory school attendance throughout the entire period during which employment is prohibited. Twenty-three states now have this requirement. If the law prohibits children from working under a certain age, it should require them to be in school to that age, during the entire school term of each year, not a valueless period of a few weeks, but eight months at least. In states where children under the legal age of employment are not obliged to be in school all the year, complications in the enforcement of the child labor law invariably arise, because it is easy for parents to send their children to work under the legal age.

Thirteen states and territories have no compulsory education laws. Of these Delaware is the only remaining northern state. Maryland permits children to leave school for work at the age of twelve years; Pennsylvania and Rhode Island at thirteen.

Attention is asked to the coincidence between the list of states having no attendance laws and those having the largest number of illiterate children in the Census table on p. 64.

Exemptions from the compulsory education laws are granted in many states for one or more of the following reasons:

Physical or mental disability.

Private instruction.

Distance from school (over two to three miles).

Poverty,

In a few states free clothing or other aids are granted on account of poverty.

Group I.—Attendance Compulsory to 16, if Unemployed

Colorado—Entire school year (exemptions granted to children over 14 if "necessarily employed," or if they have completed the eighth grade; illiterates under 16 must attend day or night school, whether employed or not).

Connecticut—Entire school year, 36 weeks.

Maryland—Entire school year (applies only to Baltimore and Alleghany County).

Massachusetts—Entire school year, at least 160 days, if illiterate.

Minnesota—Entire school year to 18 years.

Missouri—Not less than one-half of entire school year.

Montana—Entire school year (illiterates under 16 must attend day school, whether employed or not).

New Mexico—12 weeks.

New York—Entire school year between October and June.

Ohio—Entire school year.

Oregon—Entire school year.

Pennsylvania—Entire school year (unless local school-board votes to accept 70 per cent of school year).

Wisconsin—Entire school year.

Wyoming—12 weeks.

Group II.—Attendance Compulsory to 15

Hawaii

Kansas—Entire school year (children over 14 who can read and write English and are "necessarily employed," need attend school only 8 weeks annually).

Maine—Entire school year.

Michigan—Entire school year (exemptions may be granted by Board of Education to children over 14).

Nebraska—Two-thirds of entire school year (exemptions may be granted to children over 14 "necessarily employed." Attendance at night school may be required).

Rhode Island—Entire school year (if unemployed).

Vermont—28 weeks at least.

Washington—Entire school year.

Group III.—Attendance Compulsory to 14

Arizona—12 weeks.

Arkansas—12 weeks, 6 to be consecutive.

California—Full school year.

Colorado—Entire school year. (To 16, unless employed.)

Connecticut—Entire school year. Attendance required to 16, if school committee decides child of 14 has not sufficient schooling to be employed.

District of Columbia—Entire school year.

Idaho—12 weeks, 8 to be consecutive.

Illinois—Entire school year, at least 110 days.

Indiana—Entire school year.

Iowa—16 weeks.

Kentucky—Entire school year, at least 5 months.

Massachusetts—Entire school year (to 16, unless employed).

Minnesota—Entire school year (to 16, if unemployed; exemptions may be granted to children "necessarily employed").

Missouri—Not less than one-half of entire school year.

Montana—Entire school year, at least 16 weeks (to 16, unless employed).

Nevada—16 weeks, at least 8 to be consecutive.

New Hampshire—Entire school year (to 16, if illiterate).

New Jersey—Entire school year.

New Mexico—12 weeks (to 16, unless employed).

New York—Entire school year (between October and June. To 16 unless employed).

North Dakota—Entire school year (exemptions may be granted to children necessarily employed").

Ohio—Entire school year, not less than 32 weeks. (To 16, unless employed.)

Oregon—Entire school year.

South Dakota—12 weeks.

Utah—20 weeks.

West Virginia—Entire school year, 20 weeks.

Wisconsin—Entire school year, 8 months (to 16, if not employed).

Group IV.—Attendance Compulsory to 13

Pennsylvania—Entire school year (to 16, unless employed).

Rhode Island—Entire school year (to 15, unless employed).

Group V.—Attendance Compulsory to 12

Maryland—Entire school year (to 16, unless employed; applies only to city of Baltimore and Alleghany County).

*Group VI.—No Attendance Laws

Alabama	Louisiana	South Carolina
Alaska	Mississippi	Tennessee
Delaware	North Carolina	Texas
Florida	Oklahoma	Virginia
Georgia		

SCHEDULE D—EDUCATIONAL REQUIREMENT FOR EMPLOYMENT

An Educational Requirement before children can be legally employed is found in states having the most advanced child-labor legislation. This requirement consists of the completion of a specified curriculum, ability to read and write, (English not always specified) and a certain amount of school attendance.

Two states, New York and Oregon, require to a certain age, proof of the completion of a specified curriculum before employment. This requirement is particularly valuable in securing immunity from labor and the privilege of school attendance for illiterate immigrant children. In New York and Oregon children of 14 years may not work, even though able to furnish proof of age, unless they have had a fixed minimum of education, as proved by their signed school record. In New York the amount of school work required is that done by the normal child by the end of its twelfth year, if regular in attendance and promotion. In Pennsylvania, signed proof of the completion of the curriculum was required of children unable to furnish documentary proof of age by the law of 1905, but the requirement is now void since it was declared unconstitutional February, 1906.

Three other states, Ohio, Montana and Washington, also require completion of a curriculum before employment, but fail to require definite signed proof of compliance with the requirement.

Thirteen states require school attendance for a specified length of time before employment.

Fifteen states prohibit outright the employment of children who cannot read and write English.

Massachusetts requires children to read at sight and write intelligibly simple sentences in English, enough for admission to the third grade in 1907 and fourth grade in 1908.

Connecticut, Georgia and Illinois do not specify in what language children must be able to read and write. Michigan requires English only if children have been in the United States over 3 years.

Seven states (California, Colorado, Connecticut, Illinois, Maryland, Minnesota and New Hampshire) accept night school in lieu of day school attendance. For children under the age of sixteen years this is an injurious requirement, detrimental alike to health and education.

The District of Columbia and 22 states and territories have no educational requirement for children seeking employment.

* See p. 64. Compare states having largest number of illiterate children.

Group I.—Children May Not Be Employed Unless They Have Completed a Specified Curriculum

A. Requirement of School Record Signed by Authorities of School Attended by Child.

New York—Required under 16 years, school record signed by principal or chief executive officer of school attended, certifying that child has received during the required period of attendance, instruction in reading, spelling, writing, English grammar, geography and arithmetic up to and including fractions.

Oregon—Required under 16 years, school record signed by superintendent of schools or by a person authorized by him in writing, or where there is no superintendent of schools, by a person authorized by board of school directors; provided that no member of a board of school directors or other person authorized as aforesaid shall have authority to approve certificate for any child then in or about to enter his own employment, or employment of a firm or corporation of which he is a member, officer or employee. School record certifying that child has received instruction in subjects same as in New York (see above).

B.—Requirement of "Satisfactory Proof" (Neither Signed nor Specified)

Montana—Required under 16 years, "satisfactory proof" given to person authorized to issue age and school certificate, that child has successfully completed required studies, viz., reading, spelling, writing, English grammar, geography, physiology and hygiene, and arithmetic.

Ohio—Required under 16 years, same as in Montana (see above).

Washington—Required under 15 years, for employment in school term, certificate made by or under direction of the board of school directors, stating that child has "attained a reasonable proficiency in the common school branches for the first 8 years as outlined in the course of study in the common schools in the State of Washington."

Group II.—Children May Not Be Employed Unless They Have Attended School for a Specified Time Before Employment

Delaware—Required under 16 years, certificate signed by teacher or teachers of such child, that child has attended, within 12 months immediately preceding such employment, some public day or night school, or some well recognized school; such attendance having been 5 days or evenings every week during a period of at least 12 consecutive weeks, which may be divided into two terms of 6 consecutive weeks if arrangement of school term will permit.

Georgia—Required under 18 years, affidavit of parent or guardian, certifying that child has attended school 12 weeks of preceding year, 6 of which shall be consecutive; under 14 years, same school attendance required, 12 weeks to be consecutive.

Louisiana—Required under 14 years, certificate of attendance at some school where instruction was given by a teacher qualified to instruct in such branches as are usually taught in primary schools, at least 4 months of the 12 months next preceding the month in which child is employed.

Group II. (Continued)—Children May Not Be Employed Unless They Have Attended School for a Specified Time Before Employment

- Maine—Required under 15 years, for employment in school term, certificate made by or under the direction of school committee or superintendent of public schools, stating that during the year next preceding time of employment, child attended public or private school for at least 16 weeks, 8 of which were consecutive.
- Minnesota—Required under 16 years, statement in age certificate that child has, in year next preceding the issuing of said certificate, attended school at least 12 weeks, 6 of which were consecutive.
- Missouri—Required under 14 years, for employment in school hours, certificate from superintendent or teacher of school last attended, stating that child attended not less than one-half entire time school was in session.
- Nebraska—Required under 14 years, for employment in school term, certificate signed by president and secretary of school district in which child resides, stating that in year next preceding such employment, child attended some public or private school where English language was taught.
- New York—Required under 16 years, statement in school record, that child has regularly attended public schools or schools equivalent thereto, or parochial schools, for not less than 130 days, during school year previous to his arriving at age of 14 years, or during year previous to his applying for such school record.
- North Dakota—Required under 14 years, certificate from superintendent of schools or from clerk of school board stating that child has attended school for 12 weeks during the year as required.
- Oregon—Required under 16 years, statement in school record, certifying that child has regularly attended public schools or school equivalent thereto, for not less than 160 days during school year previous to arriving at age of 14 years, or during year previous to applying for such record.
- South Dakota—Required under 14 years, for employment during school term, certificate from superintendent of schools or clerk of school board stating that child has attended school for a period of 12 weeks during the year as required.
- Vermont—Required under 16 years, certificate signed by teacher of a public school, or by superintendent of schools for a private school, stating that child attended 28 weeks during current year.
- Washington—Required under 15 years (except in vacation) statement in school certificate that child has in the 12 months next preceding employment, attended school entire school year.

Group III.—Children May Not Be Employed Unless They Attend School During Employment

- Arkansas—Required to 14 years, for employment in school term, 12 weeks during the year.
- Maine—To 15 years, for employment in school term, 16 weeks during the year.
- Nebraska—To 14 years, for employment in school term, 20 weeks during the year.
- New York—Boys between 14 and 16 employed in New York City and Buffalo must show certificate of graduation from elementary school or must attend night school 6 hours a week during 16 weeks.

Group IV.—Children May Not Be Employed Unless They Can Read and Write English.

- Arkansas—Required to 16 years (for employment in mines).
Georgia—To 14 years (after January 1, 1908; English language not specified).
Indiana—To 16 years (unless blind, and except for employment in vacation).
Michigan—To 16 years (English language not required, unless child has been 3 years in United States, before employment).
Massachusetts—To 16 years, (except Saturdays in stores between 7 a. m. and 6 p. m. for minors between 14 and 16 years). Ability required sufficient to enter third grade in 1907, and fourth grade in 1908.
Minnesota—To 16 years.
Missouri—To 16 years (for employment in mines).
Montana—To 16 years (for employment during school hours).
New York—To 16 years.
Ohio—To 16 years.
Oregon—To 16 years.
Pennsylvania—To 16 years.
South Carolina—Children may be employed at any age, in vacation, if they present certificates showing school attendance for 4 months during the year, and ability to read and write.
Texas—To 16 years (exemptions granted to children between 12 and 16 years on account of poverty).
Washington—To 15 years.

Group V.—Children Who Cannot Read and Write English May Not Be Employed Unless They Attend Day or Night School During Employment

- California—Required to 16 years, for employment during school hours.
Colorado—To 16 years.
Connecticut—To 16 years (English language not specified).
Illinois—To 16 years (English language not specified). Illiterates under 16 may not be employed at all, in any town or city where there are no evening schools, or while evening schools are not in session.
Maryland—To 16 years.
Minnesota—To 16 years (except in vacation).
New Hampshire—To 21 years.
Ohio—To 16 years.

Group VI.—No Educational Requirement

Alabama	Idaho	New Jersey	Utah
Alaska	Iowa	New Mexico	Virginia
Arizona	Kansas	North Carolina	West Virginia
District of Columbia	Kentucky	Oklahoma	Wisconsin
Florida	Mississippi	Rhode Island	Wyoming
Hawaii	Nevada	Tennessee	

SCHEDULE E—WORKING PAPERS; CERTIFICATES OF AGE AND SCHOOLING

Working papers are issued in the different states by diverse authorities: school officials, health officers, factory inspectors or judges.

Of the 18 states which require documentary proof of age, 14 give the issuance of papers to school authorities. In New York working papers are issued by the health boards.

Since the New York law includes in its requirements the best minimum of education, physical ability, and satisfactory proof of age, the New York provisions concerning employment certificates are given in detail.

The importance of obtaining proof of age is ignored in the 13 states which accept the affidavit of parent or guardian, unsupported by further proof. This is worthless as a proof of age and places a premium on perjury. School records are valuable for additional verification of age, but the most reliable sources of information are transcripts of birth certificates, certificates of baptism or passports.

In Pennsylvania documentary proof of age was required by the law of 1905, but since this section of the law was declared unconstitutional, February, 1906, the affidavit of parent or guardian is accepted.

The District of Columbia and 21 states and territories require no proof of age.

In ten states, Delaware, Indiana, Kentucky, Michigan, Minnesota, New Jersey, New York, Ohio, Oregon and Wisconsin, the factory inspectors may demand a certificate of physical fitness from some regular or county physician in the case of young persons who may seem physically unable to perform the labor at which they may be employed, and shall have the power to prohibit the employment of any minor that cannot obtain such a certificate. In New York and Ohio, the physical fitness of a child apparently 14 years old is determined by a medical officer of the board or department of health.

Group I.—Documentary Proof of Age Required

California—Required between 14 and 16, age and schooling certificate approved only by superintendent of schools of city or county or by a person authorized by him, or by local school trustees. This certificate not to be approved unless satisfactory evidence is furnished by last school census, certificate of birth or baptism of such child or public register of birth or in some other manner, that child is of age stated. A duplicate of each age and schooling certificate granted to be filed with the county superintendent of schools. Certificate as to birthplace and age of child to be signed by parent or guardian, or if not living, by child himself. All employers of minors between 14 and 16 must keep record of names, age and residences of such minors.

Connecticut—Required between 14 and 16, certificate of age, signed by town clerk of town where child was born or by a teacher of school which child last attended, or by person having custody of register of said school. If child was not born in the United States, state board of education may investigate, and if child appears to be over 14 years may grant certificate as evidence of age. Parent or guardian of child shall state under oath to secretary or agent of state board of education date of birth of child, and shall present any family record, passport or other documentary evidence which board may require to show age of child.

Illinois—Required between 14 and 16 years, age and school certificate, approved by superintendent of schools or by a person authorized by him in writing.

An age and school certificate not to be approved unless satisfactory evidence is furnished by last school census, certificate of birth or baptism of such child, register of birth of such child with a town or city clerk, or by records of public or parochial schools, that such child is of the age stated in certificate: Provided, That in cases arising wherein above proof is not obtainable, parent or guardian of child shall make oath before the juvenile or county court as to age of such child, and court may issue to such child an age certificate as sworn to.

The age and school certificate of a child under 16 years of age not to be approved and signed until he presents to person authorized to approve and sign same, a school attendance certificate, as prescribed, duly filled out and signed. A duplicate of such age and school certificate to be filled out and to be forwarded to state factory inspector's office. The employment and age and school certificates to be separately printed and filled out, signed and held or surrendered as indicated in prescribed forms. Register must be kept recording name, age and place of residence.

Kansas—Required between 14 and 16 years, certificate of age signed by members of school board, principal or teacher in district where child resides. When impossible to obtain such certificate, sworn statement of parent or guardian required.

Maine—Required under 16, certificate of age and place of birth signed by school authorities; for children under 15, in addition, certificate of amount of school attendance during year preceding employment (16 weeks required).

Maryland—Required under 16, employment-permit issued in Baltimore City by Bureau of Statistics and in other cities or counties by any member of board of health or principal health officer. Employment permit not to be issued unless satisfactory evidence is furnished by duly attested transcript of certificate of birth or baptism of child, or other religious record, or register of birth, or affidavit of parent or guardian. Affidavit to be required only in case proper authorities certify that birth certificate is not on record.

Massachusetts—Required under 16, age and schooling certificate approved by superintendent of schools or by a person authorized in writing by him or by school committee. Employers to keep two complete lists of all minors employed under 16, one on file and one conspicuously posted near principal entrance of building in which such children are employed, and also keep on file and send to superintendent of schools or to school committee, a complete list of names of all minors employed who cannot read at sight or write legibly simple sentences in the English language.

An age and schooling certificate not to be approved unless satisfactory evidence is furnished by last school census, certificate of birth or baptism of such minor, or register of birth of such minor with a city or town clerk, that such minor is of age stated in certificate, except that other evidence under oath may be accepted in case superintendent or person authorized by school committee, decides that neither last school census, nor certificate of birth or baptism, nor register of birth is available for the purpose. The age and schooling certificate of a minor under 16 years of age not to be ap-

Massachusetts—(Continued)

proved and signed until he presents to the person authorized to approve and sign it an employment ticket duly filled out and signed. A duplicate of each age and schooling certificate to be filled out and kept on file by school committee. The employment ticket and age and schooling certificate to be separately printed, filled out, signed and held or surrendered, as indicated in forms prescribed.

No certificate to be approved by any person for a minor under 16 years of age, who intends to be employed in a factory, workshop, or mercantile establishment, unless such person is satisfied that minor is able to read at sight and write legibly simple sentences in English—in 1907 as is required for admission to third grade, in 1908 as is required for admission to fourth grade.

Minnesota—Required under 16, employment certificate signed by superintendent of schools or by some person authorized by him or by school committee. Said certificate to contain a statement of name, birthplace, date of birth and age of child at date of statement. This statement to be signed and acknowledged under oath or affirmation before the person authorized to issue certificate. Certificate also to contain a statement or certificate by officer issuing same that child can read at sight and write legibly simple sentences in the English language, or that said child, if unable so to read and write, is regularly attending a day or evening school, or has been excused by school board, and that if under the age required by law for attendance of all children at school, said child has in the year next preceding issuing of said certificate attended school as required by law. The statement in certificate giving birthplace and age of child shall be signed by father if living, or by mother, or by child himself.

Montana—Required under 16, certificate approved by superintendent of schools or by a person authorized by him, upon receiving satisfactory proof of age and of the completion of required studies.

Missouri—Required between 14 and 16 years, when reasonable doubt exists as to age, a properly attested birth certificate or an affidavit stating such child's age and date of birth and physical characteristics, to be furnished on demand of truant officers.

Nebraska—Required under 16, certificate stating age, place of birth and residence; for children under 14, in addition, certificate of school attendance during year next preceding employment, signed by president and secretary of school board of child's school district.

New Jersey—Required under 16: I. Native born. Affidavit of parent or guardian stating name of child, residence, place and date of birth, name of father and maiden name of mother, church attended, if any, school last attended, if child was baptized, name and location of church where baptized. There must accompany affidavit transcript of record of child's birth, or if it cannot be obtained, and child was baptized, a certified copy of baptismal record. II. Foreign born children. Same affidavit as above, with an additional statement that child named in affidavit is the same mentioned and described in passport under which child was admitted to this country. A true copy of passport must in all cases be attached to affidavit. III. Other children. Commissioner of labor shall have power to issue permits of employment to children upon the production of evidence of the child's

age satisfactory to him; provided, that he shall first be satisfied that child cannot obtain a transcript of birth record, a baptismal certificate or passport.

New York—Required under 16, employment certificate issued by the commissioner of health or executive officer of board or department of health of city, town or village where such child resides or is to be employed, or by such other officer thereof as may be designated by such board, department or commissioner for that purpose, upon application of parent, guardian or custodian of child desiring such employment.

Such officer shall not issue certificate until he has received, examined, approved and filed the following papers duly executed: (1) The school record of child properly filled out and signed as provided in this article. (2) A passport or duly attested transcript of certificate of birth, or baptism or other religious record, showing date and place of birth of child. A duly attested transcript of birth certificate filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording births shall be conclusive evidence of age of child. (3) The affidavit of parent, guardian or custodian of child, which shall be required, however, only in case last mentioned transcript of certificate of birth be not produced and filed, showing place and date of birth of child; which affidavit must be taken before the officer issuing employment certificate, who is hereby authorized and required to administer such oaths and who shall not demand or receive a fee therefor.

In case it appears to the satisfaction of officer to whom application is made, as herein provided, for an employment certificate, that a child for whom certificate is requested and who has presented school record and affidavit above provided for, is in fact over 14 years of age and that satisfactory documentary evidence of such age can be produced which does not fall within any of the provisions of this section, and that none of the papers mentioned, exists or can be produced, then and not otherwise he shall present to board of health of which he is an officer, or agent, for its action thereon, a statement signed by him showing such facts, together with such affidavits or papers as may have been produced before him constituting such evidence of the age of child, and board of health, at a regular meeting thereof, may then, in its discretion, by resolution, provide that such evidence of age be fully entered on the minutes of board and be received in place of the papers specified and required by this section,

On due proof, that a child who is a graduate of a public school of the State of New York or elsewhere, having a course of not less than eight years, or of a school in the State of New York other than a public school, having a substantially equivalent course of study of not less than eight years' duration, and in which a record of attendance of child has been kept as required by compulsory education law, and who produces and files a certificate of graduation duly issued to him therefrom, and who is recorded in the school records as 14 years of age, is unable to further produce evidence of age required by this article, the board may by resolution, permit issuance to such child of an employment certificate and dispense with evidence of age as is provided.

Such employment certificate not to be issued until child has personally appeared before and been examined by officer issuing certificate, and until such officer, after making examination, signs

New York (Continued)

and files in his office a statement that the child can read and legibly write simple sentences in the English language and that in his opinion the child is 14 years of age or upwards, and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases physical fitness shall be determined by a medical officer of board or department of health. Every such employment certificate to be signed, in the presence of the officer issuing same, by child in whose name it is issued.

The school record to be signed by principal or chief executive officer of school which child has attended and to be furnished on demand to a child entitled thereto or to board, department or commissioner of health.

The commissioner of labor may make demand on an employer in whose factory a child apparently under 16 years is employed or permitted or suffered to work, and whose employment certificate is not then filed as required, that such employer shall either furnish him within ten days, evidence satisfactory to him that such child is in fact over 16 years of age, or shall cease to employ or permit or suffer such child to work in such factory. The commissioner of labor may require from such employer same evidence of age of child as is required on issuance of employment certificate.

Ohio—Required between 14 and 16 years, age and schooling certificate, approved only by superintendent of schools or by a person authorized by him, or by clerk of board of education. This certificate not to be approved unless satisfactory evidence of age is furnished by last school census, certificate of birth or baptism, or in some other manner, that said child is of age required, and that he has successfully completed studies required in the Revised Statutes of Ohio, or can read and write legibly the English language.

Oregon—Required between 14 and 16 years, age and schooling certificate executed, issued, and approved only by superintendent of schools, or by a person authorized by him in writing, or by board of school directors. This certificate not to be approved unless satisfactory evidence is furnished by last school census, duly attested transcript of certificate of birth or baptism or other religious record or register of birth of such child, that child is of the age stated.

This certificate not to be approved and signed unless child presents to person authorized to sign same an employment ticket issued by the board of child labor inspectors, duly filled out and signed as prescribed. The certificate shall contain a statement certifying that the child can read at sight and write legibly simple sentences in the English language, that it has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do, and that it has regularly attended public schools or a school equivalent thereto, for not less than 160 days during school year previous to arriving at age of 14 years, or during the year previous to applying for such school record, and has received during such period instruction in reading, spelling, writing, English grammar and geography, and is familiar with the fundamental operations of arithmetic to and including fractions.

Rhode Island—Required between 14 and 16 years, certificate given by or under the direction of school committee of city or town in which child resides, certifying that child has completed 14 years of age, and stating name, date and place of birth of child, sub-

stantiated by a duly attested copy of birth certificate or baptismal certificate, stating also name and residence of the person having control of such child.

Washington—Required under 15 years for employment in school term, certificate given by superintendent of schools, excusing child from attendance at school and setting forth reason for such excuse, residence and age of the child, and time for which such excuse is given.

Wisconsin—Required between 14 and 16 years, written permit issued by commissioner of labor, state factory inspector, any assistant factory inspector or by judge of the county court or municipal court or by judge of a juvenile court where such child resides. When any doubt exists concerning age of child, verified baptismal certificate to be produced, or duly attested birth certificate, or in case such certificate cannot be secured, record of age stated in first school enrollment of such child. If such proof does not exist, or cannot be secured, such other proof to be produced as may be satisfactory to person issuing permit. Employers must keep register giving name, age, date of birth and place of residence

Group II.—Affidavit or Statement of Parent or Child as Proof of Age

Alabama—Required over 12, affidavit of parent or guardian, stating age and date of birth.

Arkansas—Same as Alabama; for children under 14, in addition, certificate of school attendance.

Delaware—Required between 14 and 16 years, sworn statement of parent or guardian, stating name, date and place of birth of child; also certificate stating names of parents or guardians, name and number of school last attended by child, and number of weeks in attendance, such certificate to be signed by teacher or teachers of child; provided, that in case the age of child be not known, such teacher shall certify that age given is the true age to the best of his or her knowledge.

Georgia—Same as Alabama; also for children between 10 and 12 of an aged or disabled father, certificate from the ordinary of the county, certifying to facts required; no ordinary to issue certificate except on strict proof in writing and under oath, and no certificate to be granted for longer than one year, or accepted after one year from date of certificate, by employer.

Indiana—Required between 14 and 16 years, affidavit by parent or guardian or by minor himself, certifying date and place of birth.

Kansas—Required between 14 and 16 years, when school certificate of age cannot be obtained, sworn statement of parent or guardian, stating age of child.

Kentucky—Required under 14, certificate of age, date and place of birth sworn to by parent or guardian. If child has no parent or guardian, affidavit to be made by child.

Michigan—Required under 16, certificate sworn to by parent or guardian or by child himself, stating that child can read and write and giving age, date and place of birth. Register must be kept recording name, birthplace, age and place of residence.

New Hampshire—Required under 16, statement of age, sworn to by parent or guardian before superintendent of schools or some person authorized by school board. Also certificate from superintendent of schools or authorized person that child can read at sight and legibly write simple sentences in the English language.

Group II. (Continued)—Affidavit or Statement of Parent or Child as Proof of Age

North Carolina—Required under 12, written statement of age of parent or guardian.

Pennsylvania—Required between 14 and 16 years, employment certificate issued by Factory Inspector or any of his office force, the deputy factory inspectors, or school superintendents, or principal teacher of common school in localities not under the jurisdiction of any superintendent. This certificate to state name, age, date, place of birth, and description of child, its residence, and residence of parent or guardian, and ability of said child to read and write simple sentences in English language.

Before certificate of employment is issued, person authorized to issue it, first to demand and obtain of parent or guardian affidavit stating age, date and place of birth of child.

South Carolina—Required under 12, affidavit of parent or guardian stating age of child.

Tennessee—Required under 14, sworn statement of age made by parent or guardian, unless age of child is known by employer.

West Virginia—Required for boys over 12, employed in coal mines, in cases of doubt as to age, affidavit of parent or guardian.

Group III.—No Proof of Age Required

Alaska	Indian Territory	South Dakota
Arizona	Iowa	Texas
Colorado	Louisiana	Utah
District of Columbia	Mississippi	Vermont
Florida	Nevada	Virginia
Georgia	New Mexico	West Virginia (except in
Hawaii	North Dakota	coal mines)
Idaho	Oklahoma	Wyoming

SCHEDULE F—DANGEROUS OCCUPATIONS.

The operation of elevators or of dangerous machinery by minors under certain ages is prohibited in seventeen states.

A large group of states prohibit occupations dangerous to health or morals: chiefly the employment of children where liquors are sold, rope-walking and kindred exhibitions. This is usually in the penal code and more or less completely non-enforced. It is desirable to have it embodied in the labor law also, and enforced by the factory inspectors. This general provision is effective principally in case of damage suits, following upon accidents to minors. See p. 61.

Illinois and Ohio lead all the states in specifically prohibiting the employment of children under sixteen years in a list of manufactures involving many different kinds of dangerous machinery, and in forbidding the employment of children under sixteen years in three special manufactures—paints or colors, and compositions needing acids, in Illinois; matches and compositions needing acids, in Ohio.

In Massachusetts, the state board of health is authorized to investigate and prohibit such manufacture of acids for minors under eighteen. In New York boys under 18, and all women are prohibited from operating emery, emery polishing, or buffing wheels. In Colorado all paper mills, cotton mills and factories where wearing apparel for men and women is made, ore reduction mills or smelters, factories, shops of all kinds and stores may be held to be unhealthful and dangerous occupations at the discretion of the county court.

Group I.—Operation of Elevators Is Prohibited

Connecticut—to 16 years.

Illinois—to 16 years.

Iowa—to 14 years.

Indiana—to 18 years,

Kentucky—to 16 years.

Massachusetts—to 16 years; for any elevator running at a speed of more than 100 feet a minute, to 18 years.

Minnesota—to 16 years; for elevators running at a speed of more than 200 feet a minute, to 18 years.

New York—to 15 years; for any elevator running at a speed of more than 200 feet a minute, to 18 years.

Ohio—to 16 years.

Pennsylvania—to 16 years.

Wisconsin—to 16 years.

Group II.—Operation or Cleaning Dangerous Machinery Is Prohibited

Illinois—to 16 years; 14 different machines specified. (See Standard Child Labor Law, Sec. 11, p. 49.)

Indiana—boys to 16 years; girls to 18 years.

Iowa—boys to 16 years; girls to 18 years.

Kentucky—to 18 years. Applies also to sewing belts or assisting in same.

Louisiana—to 12 years.

Massachusetts—to 14 years.

Group II. (Continued)—Operation or Cleaning Dangerous Machinery Prohibited.

Michigan—boys to 18 years; girls to 21 years.

Missouri—to 21 years.

New Jersey—to 16 years.

New York—boys to 18; girls to 21 years.

Ohio—to 16 years, 14 different kinds of machinery specified.

Pennsylvania—to 16 years.

Rhode Island—To 16 years (unless same is necessary and is approved by Factory Inspector as not dangerous).

Group III.—Specified Manufactures Are Prohibited

Illinois—to 16 years, manufacture of paints, colors or white lead, or compositions needing acids. (See Standard Child Labor Law, Sec. 11, p. 49.)

Ohio—to 16 years, manufacture of matches, paints, colors or white lead, or compositions needing acids.

Massachusetts—to 18 years, manufacture of acids (upon complaint and after investigation by state board of health).

New York—to 18 years for boys, and for all women, operation of emery, tripoli, rouge, corundum, stone carborundum, or any abrasive, or emery polishing or buffing wheel, where articles of the baser metals or of iridium are manufactured.

Group IV.—Employment Is Prohibited in Saloons or Where Liquors are Sold

TENTATIVE LIST.

Alaska	Georgia	Massachusetts	Pennsylvania
California	Illinois	Michigan	South Dakota
Colorado	Hawaii	New Hampshire	Vermont
Connecticut	Maryland	New York	West Virginia
		Wisconsin	

Group IV.—Vague General Prohibition of Employments Dangerous to Health or Morals

California—to 16 years

Colorado—to 14 years

Connecticut—to 12 years

Delaware—to 15 years

District of Columbia—to 14 years

Georgia—to 12 years

Illinois—to 16 years

Indiana—to 15 years

Iowa—to 16 years

Kansas—to 16 years

Kentucky—to 16 years

Massachusetts—to 16 years

Michigan—to 16 years

Missouri—to 14 years

New Jersey—to 16 years

New York—to 16 years

Ohio—to 16 years

Pennsylvania—to 15 years

Rhode Island—to 16 years

Virginia—to 14 years

West Virginia—to 15 years

Wisconsin—to 14 years

Wyoming—to 14 years

SCHEDULE G—EXEMPTIONS.

The best laws have no exemptions. Every exemption is an injury to the law and to the class exempted, being a deprivation of protection.

The most important exemptions allowing work *under age* have been embodied in Schedule A. These are exemptions of orphans, children of disabled fathers or widowed mothers, and the special exemption of the canning industry in several states.

The exemption of orphans from the protection of the law is especially to be deplored. It places on children already handicapped, the additional burden of wage earning at an age when, according to the very statute which grants the exemption, children in more fortunate circumstances need protection.

There remain to be noted the officials authorized to grant exemptions, and the reasons for granting.

Exemptions for *work over time* are allowed for various reasons in fifteen different states.

A—WORK IS ALLOWED UNDER AGE

Authorities Who Grant Exemptions

California—Exemptions between 12 and 14 years, granted on account of poverty by judge of juvenile or superior court of county, upon sworn statement of parent that child is past 12 years and after investigation by a probation or truant officer, or where there is none, by some other competent person. Permit shall specify kind of work allowed and length of time for which it is issued. Granted also to children over 12, for employment in vacation, by principal of school attended in term preceding such vacation.

Colorado—Between 14 and 16 years, granted by judge of county court, of county in which child resides, if it would be in the opinion of said judge, for child's best interest to be so exempted. Granted also on account of poverty by district or county superintendent of schools.

Minnesota—Under 14 and illiterates under 16, granted on account of poverty by school board or board of school trustees.

Missouri—Under 16, granted on account of poverty by any court of competent jurisdiction.

New York—Over 12 years, for employment in mercantile establishments in villages and cities of the third class, during summer vacation of public schools. Vacation certificate required, to be issued in same manner, upon same conditions and on like proof that child is 12 years or upward, and is in sound health, as is required for issuance of employment certificate (see p.21) except that school record shall not be required.

North Dakota—Under 14 years, granted on account of poverty by board of education, of a city or village and by school board of other districts.

Oregon—Between 12 and 14 years, granted by board of inspectors of child labor, in any suitable work, in any school vacation extending over a period of more than two weeks.

South Carolina—Under 12 years, granted on account of poverty provided that guardian of child shall furnish an affidavit duly sworn to before magistrate or clerk of court of county, stating need of child's support, and provided that the officer before whom affidavit is subscribed shall endorse upon back thereof his approval and consent.

Texas—For illiterates under 14, whose parents are incapacitated to support them.

Washington—Between 12 and 14, granted on account of poverty by any superior court judge living within residence district of child, for any occupation not in his opinion dangerous to health or morals of child.

Wisconsin—Over 12 years, in vacation, granted on account of poverty by county judge of county in which child resides, or by commissioner of labor, or any factory inspector or assistant factory inspector.

B.—WORK IS ALLOWED OVER TIME

I.—On Saturday for for Certain Days Preceding Christmas

Colorado—Children under 16 may work more than 8 hours in the day, in the week before and following Christmas Day.

Minnesota—Children over 14 years of age may be employed in mercantile establishments on Saturdays and for 10 days each year before Christmas until 10 in the evening; provided that this permission is not so construed as to permit such children to work more than 10 hours in any one day or over 60 hours in any one week.

Pennsylvania—Children under 16 years may work in retail mercantile establishments after 9 p. m. and longer than 60 hours a week, and 12 hours in one day on Saturday of each week, and during 20 days, beginning December 5, and ending December 24; Provided that within said 20 days, working hours shall not exceed 10 hours per day, or 60 hours per week.

Rhode Island—Minors under 16 years may work after 8 p. m. on Saturdays, and 4 days before Christmas.

II.—To make up lost time due to some accident or breakdown in the machinery

New Hampshire—Women and children under 18 may be employed for this purpose more than 10 hours in a day.

South Carolina—Children under 12 (whose labor is permissible only if they are allowed to work because they are children of widows or of disabled fathers or are orphans) may be employed for this purpose after 8 p. m., provided that under no circumstances a child below 12 years of age shall work later than 9 p. m.

III.—When a different apportionment of hours of labor is made for the sole purpose of making a shorter day's work for one day in the week

Indiana—Boys under 16 and girls under 18 may work more than 60 hours in one week or 10 hours in one day; but not more hours in any one week than would make an average of 10 hours per day for whole number of days which such persons work during such week.

Kentucky—Children under 16 may work more than 10 hours in one day, and 60 hours in a week.

IV.—Either (a) when a different apportionment of hours is made for the sole purpose of making a shorter workday for one day of the week, or (b) when it is necessary to make repairs to prevent the interruption of the ordinary running of the establishment

California—Minors under 18 may work more than 9 hours in one day, but in no case must hours of labor exceed 54 hours in the week.

Maine—Women and boys under 16 may work more than 10 hours in a day, but in no case must hours of labor exceed 60 hours in the week.

New Hampshire—Women and minors under 18 may be employed more than 10 hours a day.

Rhode Island—Women and minors under 16 may work more than 10 hours in one day.

Connecticut—Women and minors under 16 may work more than 10 hours in one day.

Michigan—Women under 21 and boys under 18 may be employed more than 60 hours in one week for second cause (b), and may be employed more than 10 hours in any one day for first cause (a).

V.—To prevent waste or destruction of material in process of manufacture

Pennsylvania—Boys over 14 years, who have not been employed between 6 a. m. and 9 p. m., may be employed for not more than 9 consecutive hours in any one day after 9 p. m., provided that in establishments where night work is hereby permitted, and where the nature of employment requires two or more working shifts in 24 hours, males over 14 years may be employed partly by day and partly by night, not more than 9 consecutive hours.

SCHEDULE H—ENFORCEMENT

I.—THE CHILD LABOR LAWS

Diversity is the chief characteristic of enforcement. Judges, juries, county and prosecuting attorneys, probation officers, truant officers, and factory inspectors figure in the varying processes of enforcement in the different states.

States which have no factory inspectors afford no adequate effective protection to working children. When probation officers attached to juvenile courts make occasional arrests of employers, it is not the prime duty of these officers to make systematic search for children in factories, workshops, etc., and to ascertain the sanitary conditions under which work is done. Truant officers also are insufficient for enforcing the closing hour and stopping night work.

The value of child labor laws depends upon the quality of the inspectors, their tenure of office, and the amount of money appropriated for their use. Where factory inspectors are politicians and truant officers are aged and decrepit, the children suffer accordingly.

The District of Columbia and 17 states and territories provide no special officials for inspection or enforcement. Violation of the law may be prosecuted by the county attorney, if complaint is made to him by any interested person. Seven states have entirely given over to the school authorities the enforcement of child labor laws, and in many others the truant officers as well as the factory inspectors are authorized to enter places of employment, to demand certificates of age or schooling, to make arrests and to enter prosecutions for violation through the prosecuting attorney.

The names and addresses of state labor officials charged with the enforcement of child labor laws are included in order that any person in any state, where such officials are appointed to enforce these laws, may turn to this list to discover precisely upon whom the responsibility for enforcement or non-enforcement rests.

The list of names has been obtained by correspondence with the heads of labor departments of the various states. It is possible that additional appointments have been made since these lists were received (November, 1906). No attempt is made to give the names and addresses of truant officers or school authorities, owing to the obvious difficulty of obtaining accurate lists.

DIRECTORY OF OFFICIALS FOR ENFORCEMENT

a.—State Labor Officials.

California—Commissioner of Labor, salary \$3,000; Deputy, salary \$1,800; assistants not exceeding 3, salaries not to exceed \$4 per day, all expenses allowed.

W. V. Stafford, Commissioner, Ferry Building, San Francisco.

J. M. Eshleman, Deputy, Ferry Building, San Francisco.

Delaware—Factory and Workshop Inspector, salary \$1,000. Joseph A. Bond, Inspector, 1011 Tatnall St., Wilmington.

Illinois—Chief State Factory Inspector, salary \$2,000; Assistant Chief, salary \$1,250, and 18 deputy factory inspectors, salaries \$1,000. Appropriation to cover all necessary expenses, \$10,000.

Edgar T. Davies, Chief, Security Building, Chicago.

Jos. Mitchell, 36 N. Sacramento Ave. Esther F. Bradford, 4425 Berkley Ave.

J. M. Patterson, 4453 Berkeley Ave. Marie L. Morrow, 4316 Vincennes Ave.

M. S. Rieger, 450 Augusta St. Jane M. Canedy, 1495 Wellington Ave.

John Fitzsimmons, 6122 S. Park Ave. Evelyn M. Atchley, 1563 N. Talman Ave.

Jacob Goldman, 1650 Melrose St. George Johnson, Bloomington.

Gordon Chavis, 3560 Vernon Ave. Adam Menche, Kewanee.

Mrs. F. H. Greene, 696 Warren Ave. Jacob Swank, Forreston.

Sarah R. Crowley, 1245 N. California Ave. Eugene Whiting, Canton.

Adele M. Whitgreave, 3135 S. Park Ave. Oscar W. Jencks, Bunker Hill.

Indiana—Chief Inspector, salary \$1,800 and actual expenses and a sufficient number of deputies not to exceed 5.

D. H. McAbee, Chief Inspector, Capitol, Indianapolis.

David F. Spees, Chief Deputy, Capitol, Indianapolis.

DEPUTY INSPECTORS.

H. A. Richards, Muncie. T. S. Williamson, Anderson.

J. H. Roberts, South Bend. A. L. Wright, Indianapolis.

Iowa—Commissioner of Labor Statistics, salary \$1,500, deputy and one factory inspector, salaries \$1,200, and expenses not to exceed \$1,500.

Edward D. Brigham, Commissioner, Des Moines.

Alfred Shepherd, deputy, Des Moines.

Frank Bradley, factory inspector, Des Moines.

Kansas—Commissioner of Labor, salary \$1,500. Assistant Commissioner salary \$1,200.

W. L. H. Johnson, Commissioner, Topeka.

W. D. Robinson, Assistant, Topeka.

Kentucky—Labor Inspector, salary \$1,200 and one assistant, salary \$1,000 and traveling expenses.

“The grand jury shall have inquisitorial powers to investigate violations of this act, and judges of the circuit courts of this state shall specially charge the grand jury at the beginning of each term of the court to investigate violations of this act.”

Thomas J. Scally, Inspector, 2411 W. Market St., Louisville.

William Young, assistant labor inspector, Latonia.

Louisiana—Superintendent or chief officer of police in cities; in towns the mayor shall detail what portion of the police force is necessary. Factory inspectors in cities of more than 10,000 inhabitants.

Maine—Inspector of Factories and Workshops, salary \$1,000 and reasonable expenses; and a sufficient number of assistant deputies, salaries \$2 per day and reasonable expenses while engaged in duty. For violation of section requiring children under 15 to attend school for a required period during employment, school committees and superintendent must report to the county attorney who shall prosecute therefor.

George E. Morrison, Inspector, Biddeford, Maine.

Maryland—Chief of the Bureau of Statistics, salary \$2,500; assistant, salary \$2,000, and six child labor inspectors, salaries \$900; two factory inspectors.

Charles J. Fox, Chief, Equitable Bldg., Baltimore.

J. G. Schonfarber, Assistant, Equitable Bldg., Baltimore.

Mr. T. Hunt Mayfield,

S. Elizabeth Spicer,

Mrs. M. A. Richardson,

Michael J. Lindsay,

Mrs. B. A. C. Wells,

Joseph B. Joiner,

M. Herzog,

Frank Armiger,

Massachusetts—Chief of the District Police, salary \$3,000; deputy chief, salary \$2,400 and 28 factory inspectors, salaries \$1,500 and all necessary traveling expenses. Truant officers appointed by the school committee of every city and town.

Joseph E. Shaw, Chief, State House, Boston.

Joseph A. Moore, Deputy Chief, State House, Boston.

FACTORY INSPECTORS

Arlon S. Atherton, State House, Boston. Wm. J. McKeever, State House, Boston.

Charles S. Clerke, State House, Boston. Malcom Sillars, State House, Boston.

Joseph Halstrick, State House, Boston. Mary A. Nason, State House, Boston.

Charles A. Dam, Worcester. James R. Howes, Springfield.

Robert Ellis, Fall River. John J. Sheehan, Salem.

James W. Hoitt, North Adams. Frank C. Wasley, Lowell.

Michigan—Commissioner of Labor, salary \$2,000 and expenses; Deputy Commissioner, salary \$1,500 and expenses. Such assistants as may be necessary, at least one of whom shall be a woman.

Malcolm J. McLeod, Commissioner, Inspector, Lansing.

R. H. Fletcher, Deputy Commissioner, Lansing.

DEPUTY INSPECTORS

Miss L. Darvoux, Detroit.

A. B. Glaspie, Oxford.

Mrs. M. C. Girardin, Detroit.

Frank T. Ley, Grand Rapids.

Henry J. Eikhoff, Detroit.

Miss E. Griswold, Grand Rapids.

William J. Downey, Detroit.

Miss L. M. Burton, Grand Rapids.

John J. Knight, Detroit.

A. C. Galbraith, North Branch.

George Houston, Detroit.

W. S. Tucker, Big Rapids.

Ray E. Hart, Battle Creek.

S. A. Hall, Bay City.

L. C. Watkins, Jackson.

Alexander F. Kerr, Laurium.

John W. Rose, Kalamazoo.

Minnesota—Commissioner of Labor, salary \$2,500 and expenses; assistant commissioner and factory inspector, salaries \$1,500 and \$2,100, two deputies and four assistant factory inspectors, salaries \$1,000 each and expenses (total appropriation \$16,200).

Hon. W. H. Williams, Commissioner, St. Paul.

Hon. E. J. Lynch, Asst. Commissioner, St. Paul.

Julius Moersch, Factory Inspector and Statistician, St. Paul.

Frank E. Hoffman, Deputy Commissioner, St. Paul.

Louis Vogler, Deputy Commissioner, Minneapolis.

FACTORY INSPECTORS.

August Hagberg, Duluth. Frank E. Murray, Minneapolis.
Peter J. Karpen, St. Paul. Louis Torgerson, Minneapolis.

Missouri—State Factory Inspector (since 1903 can inspect only in cities of more than 30,000 inhabitants). Attendance officers, appointed and salary fixed by school board; vested with authority to enter any office, factory or business house employing children, and to make arrests.

J. C. A. Hiller, Factory Inspector, St. Louis.

Nebraska—Deputy Commissioner of Labor, salary \$1,500.

Burrett Bush, Deputy Commissioner, Lincoln.

Don C. Despain, Chief Clerk, Lincoln.

New Jersey—Commissioner of Labor, salary \$2,500; assistant commissioner, salary \$1,500 and 11 inspectors, two of whom shall be women, salaries \$1,000 and all necessary expenses allowed..

Lewis T. Bryant, Commissioner, State House, Trenton.

John I. Holt, Asst. Commissioner, State House, Trenton.

INSPECTORS.

Henry Kuehnle, Egg Harbor City.

Louis Holler, 304 Mickle St., Camden.

Joseph Milburn, 303 Centre St., Trenton.

Edward McClintock, 15 Wallace St., Newark.

Andrew McCardell, Plainfield.

H. F. Thompson, 519 Willow Ave., Hoboken.

William Schlachter, 7 Condit Pl., Orange.

Heber Wells, 412 E. 30th St., Paterson.

James Stanton, Sussex.

Mary F. Van Leer, 1362 Kaighn Ave., Camden.

Grace L. De Hart, 99 Mercer St., Jersey City.

New York—The Board or Department of Health or Health Commissioners, for employment in mercantile establishments; in factories, the Commissioner of Labor, salary \$3,500; first deputy commissioner of labor, salary \$2,500, and 38 deputies, salaries \$1,200 and \$1,000, 8 of whom are women.

P. Tecumseh Sherman, Commissioner, New York City.

John Williams, 1st Deputy Commissioner, Utica.

Thomas A. Keith, Asst. to 1st Deputy Com., New York City.

Louis A. Havens, Special Agent, New York City.

DEPUTY FACTORY INSPECTORS.

John A. Donald, New York City.

Margaret Finn, N. Y. City.

Mathew J. Flanagan, N. Y. City.

William Ford, N. Y. City.

Lily F. Foster, N. Y. City.

Mrs. R. B. Gourlie, N. Y. City.

Mrs. Ella Nagle, N. Y. City.

Anna C. Bannon, N. Y. City.

Wm. W. Walling, N. Y. City.

Chas. L. Halbertstadt, Jr., N. Y. City.

Dennis J. Hanlon, N. Y. City.

Chas. Whelan, N. Y. City.

James H. Bell, N. Y. City.

Maurice Barshell, N. Y. City.

Solomon H. Brenner, N. Y. City.

George S. Cangialosi, N. Y. City.

William H. Donahue, N. Y. City.

Kate L. Kane, Rochester.

Charles Kinney, Vineyard.

Chas. M. Lessels, Troy.

Willard G. Lounsberry, Utica.

Luman S. Arnold, Earlville.

Chas. B. Ash, Yonkers.

Hiram Blanchard, Schenectady.

Mrs. Annie L. Green, Fort Plain.

James Davie, Ossining.

Gilbert I. Harmon, Hoosick Falls.

Geo. L. Horn, Brooklyn.

Frank S. Nash, Binghamton.

Wm. J. Neely, Brooklyn.

Joseph O'Rourke, Utica.

Silas Owen, Cohoes.

Josie A. Reilly, Albany.

Chas. H. Roberts, Dresden.

William H. Guyett, N. Y. City
Sigmond Horkimer, N. Y. City.
William H. Rich, N. Y. City.
Abraham Sirota, N. Y. City.
Simeon Goodelman, N. Y. City.
E. H. Williamson, N. Y. City.

Wm. Pearson, Cortland.
Henry L. Schnur, Buffalo.
Jefferson B. Sliter, Elmira.
Dennis C. Sullivan, Rochester.
Wm. E. Tibbs, Newburgh.
David S. Yard, Olean.

James W. Ireland, Ithaca.

Charles M. Gilmore, Deputy Mine Inspector, Binghamton.

North Carolina—Commissioner of Labor, salary \$1,500.

Henry B. Varner, Raleigh.

Ohio—Chief Inspector of Workshops and Factories, salary, \$2,000; thirteen district and two bakeshop inspectors, salaries, \$1,200; all necessary traveling expenses, not to exceed \$500 a man, allowed. Inspectors have same authority as truant officers to enforce school attendance of any child found violating the school laws.

J. H. Morgan, Chief Inspector, Columbus.

Frank Bach, 2338 79th St., S. E., Cleveland.

E. F. Griffin, 7920 Bellevue Ave., N. E., Cleveland.

Theodore Wagner, 6603 Berwick Road, S. E., Cleveland.

A. F. Spaeth, Room 3, Bavaria Bldg., Cincinnati.

William Woehrlin, Room 3, Bavaria Bldg., Cincinnati.

John F. Ward, 1028 Star St., Youngstown.

Ralph C. Shipman, 236 East Second St., Elyria.

Col. E. S. Bryant, Bloomdale.

John W. Bly, 528 East Lincoln St., Findlay.

L. W. Ralston, Mechanicstown.

Chas. W. Highfield, 224 West Main St., Zanesville.

Richard Lloyd, P. O. Box 633, Columbus.

C. B. Baker, 409 West Water St., Piqua.

John H. Gillen, R. F. D. No. 1, Portsmouth.

O. D. Bell, 423 North Sixth St., Cambridge.

Oregon—The Board of Inspectors of Child Labor, composed of 5 persons, 3 at least of whom shall be women, to serve without compensation. Vested with power to enter factories and stores.

H. G. Kundret, 232½ Washington St., Portland.

Mrs. Millie R. Trumbull, 821 Corbett St., Portland.

Rev. Wm. G. Eliot, 681 Schuyler St.

Mrs. Sarah A. Evans, Oswego.

Mrs. Belle M. Wright, Union.

Pennsylvania—Factory Inspector and 39 deputy factory inspectors, 5 of whom shall be women, at salaries of \$1,200, traveling expenses allowed. For mines, Chief of Department of Mines and 30 inspectors.

J. C. Delaney, Inspector, Harrisburg.

DEPUTY INSPECTORS.

T. A. Lee, 2046 Reed St., Phila.

Mary S. Glenn, Holmesburg, Phila.

W. J. Crowley, 916 Mifflin St., Phila.

H. N. Eisenbrey, Olney, Phila.

P. H. Kenny, 1631 Porter St., Phila.

Gus Egolf, Norristown.

C. H. Breithbarth, 809 Spring Garden St., Phila.

W. R. Fullerton, Chester.

Chas. B. Noblit, 639 N. 45th St., Phila.

M. E. Bushong, May.

Meredith B. Leach, 733 Walnut St., Phila.

Harry McBechtel, Pottstown.

Annie E. Leisenring, 432 Chew St., Allentown.

R. Hamilton, 40 E. Coulter St., Phila.

James Patterson, Bristol.

M. Keller (Mrs.), 5144 Sansom St., Phila.

J. W. Davis, Plymouth.

W. S. Godfrey, 2545 Cedar St., Phila.

George W. Nape, Scranton.

Jas. Knight, Jr., 3716 N. Randolph St., E. W. Bishop, Towanda.
 Phila. J. H. Ferris, Little Marsh.
 Joseph Sumner, 4138 Terrace St., Phila. J. K. Robison, Mifflintown.
 L. L. Knisely, 231 Pine St., Harrisburg. James Dunn, Latrobe.
 Joseph P. Quinn E. P. Gamble, Altoona.
 T. A. Bradley, Lilly. James R. Patterson, Beaver Falls.
 M. D. Howe, Delmar. J. C. McClymonds, Portersville.
 A. W. McCoy, Meadville. M. N. Baker, Corry.

Anna White, 1223 Buena Vista St., Allegheny City.
 George I. Rudolph, 1406 Western Ave., Allegheny City.
 David E. Weaver, 2320 Sidney St., Pittsburg.
 Elizabeth Torrens, 5903 Penn Ave., Pittsburg.

Rhode Island—Chief Factory Inspector, salary \$2,000, and two assistant factory inspectors—one of whom shall be a woman, salaries, \$1,000. All necessary expenses allowed, not to exceed \$2,000. One or more truant officers appointed, and salary fixed by the school committee of each town or city.

J. Ellery Hudson, Chief Inspector, State House, Providence.
 Mrs. Helen M. Jenks, Assistant Inspector, State House, Providence.
 Joseph Roy, Assistant Inspector, State House, Providence.

Tennessee—Grand Jury has inquisitorial powers to investigate violations and judges of the circuit courts of the state shall specially charge the grand jury at the beginning of each term of the court to investigate violations.

Commissioner of Labor Statistics and Mines, expenses of the department not to exceed \$4,000 per year; commissioner to act as inspector of mines.

Virginia—Commissioner of Labor, salary \$800. Appropriation for department not to exceed \$2,000.

James B. Doherty, Commissioner, Richmond.

Washington—Commissioner of Labor.

Charles F. Hubbard, Commissioner, Olympia.

West Virginia—State Commissioner of Labor.

I. V. Barton, Commissioner, Wheeling.

Wisconsin—Commissioner of Labor, salary \$2,000; deputy commissioner, \$1,500 and 12 factory inspectors, salaries \$1,000; 1 factory inspector, salary \$1,200.

J. D. Beck, Commissioner, Madison.

FACTORY INSPECTORS.

J. E. Vallier, Milwaukee.	H. P. Peterson, Superior.
Miss E. Kunz, Milwaukee.	August Lehnhoff, La Crosse.
D. Wittenberg, Milwaukee.	August Kaems, Sheboygan.
Wm. Straub, Milwaukee.	T. A. Walby, Hudson.
J. A. Norris, Appleton.	C. S. Porter, Fox Lake.
J. R. Bloom, Neenah.	D. D. Evans, Racine.

b. School Officials.

Colorado—Truant officers appointed and salaries fixed by board of school directors; vested with police powers and with authority to enter workshops, factories and all other places where children may be employed, in the way of investigation or otherwise.

Connecticut—Agents appointed by state board of education for terms of not more than one year, salaries not to exceed \$5 a day, including expenses. The school visitors or town school committee in every town, shall once or more in every year examine into the situation of children employed in all manufacturing establishments, and ascertain whether all provisions of the law are observed, and report all violations to proper prosecuting authority.

- Montana—Truant officers, appointed and salary fixed by school board. Vested with police powers, with authority to serve warrants and to enter workshops, factories, stores and all other places where children may be employed.
- New Hampshire—State Superintendent of Public Instruction, and deputies appointed by superintendent, necessary expenses to be allowed by Governor and council. Also truant officers appointed by district school boards and paid by towns.
- North Dakota—Truant officer appointed by board of education in any city of more than 5,000 inhabitants, or by president of school board of any district.
- South Dakota—District school board, chairman of board of education in independent districts, or county superintendent.
- Vermont—Town Superintendent, appointed and compensation fixed by boards of school directors. Truant officers, two to be appointed by selectmen of a town and mayor of a city; salary at rate of \$2 a day for time actually spent.

No Special Officials for Inspection or Enforcement

Alabama	Indian Territory (has no law)
Alaska	Mississippi
Arizona (has no law)	Nevada (has no law)
Arkansas	New Mexico (has no law)
District of Columbia (has no law)	Oklahoma (has no law)
Florida (has no law)	South Carolina
Georgia	Texas
Hawaii (has no law)	Utah
Idaho	Wyoming

PROSECUTIONS

The degree to which prosecution is used as a means of enforcement varies greatly in the different states. Some officials report few prosecutions by reason of the recent date of their child labor laws.

No attempt is made to give the number of prosecutions in states where child labor laws are enforced by school authorities only.

The honorable record of Illinois is appended to show the most effective prosecution since 1895.

California—16 prosecutions; several cases pending; fines \$150.

Delaware—No prosecutions.

Illinois—	Prosecutions	Fines
1895.....	327	\$1,127.00
1896.....	520	886.47
1897.....	535	3,572.25
1898.....	1,006	8,800.45
1899.....	940	13,068.55
1900.....	1,386	
1901.....	725	8,987.60
1902.....	1,198	7,537.03
1903.....		10,375.00
1904.....	1,311	10,659.90
1905.....	994	8,508.20

Indiana—17 prosecutions; fines \$230.20 (cases pending).

Iowa—No prosecutions.

Kansas—No prosecutions.

Kentucky—5 prosecutions; fines \$50 (cases pending).

Prosecutions—Continued.

Maine—No prosecutions.
Massachusetts—No answer to inquiry.
Michigan—8 prosecutions; fines \$87.80.
Minnesota—7 prosecutions; fines \$150.
Missouri—12 prosecutions; fines \$150.
Nebraska—No prosecutions.
New Jersey—13 prosecutions; fines \$692.22.
New York—200 prosecutions; fines \$800.
North Carolina—No answer to inquiry.
Ohio—311 prosecutions; fines \$3,190.
Oregon—2 prosecutions.
Pennsylvania—40 prosecutions.
Rhode Island—No prosecutions.
Tennessee—No answer to inquiry.
Washington—No prosecutions.
West Virginia—35 prosecutions; fines \$350.
Wisconsin—43 prosecutions; fines \$735.

PENALTIES

The penalties for infringement of the child labor laws fall under two heads: Penalties for the employer and penalties for the parent or guardian.

Penalty for Employer for Employing Child under Age (a) and Over Time (b)

Fines Only.

Alabama—Not more than \$200.
Arkansas—Not more than \$500.
Connecticut—Not more than \$20 for each offense.
Georgia—Usual penalty for misdemeanor.
Illinois—Not less than \$5 nor more than \$100 for each offense and to stand committed until such fines and costs are paid.
Kentucky—Not more than \$50 for first offense, and not more than \$200 for second offense.
Maine—Not less than \$25 nor more than \$50 for each offense.
Maryland—Not less than \$5 nor more than \$50 and after notification by inspector or attendance officer, not less than \$5 nor more than \$20, for each day of employment.
Minnesota—Not less than \$20 nor more than \$50 for each offense.
Montana—Not more than \$1,000 for mines or any similar business. Applying to (b).
Nebraska—Not less than \$20 nor more than \$50 for each offense, provided that no conviction shall be had under this act unless the proceedings shall be commenced within one year after the offense shall have been committed. Applying to (a).
New Hampshire—Not more than \$50 for the use of the district for each offense.
New Jersey—\$50 for each offense.
North Dakota—Not less than \$10 and not more than \$100.
Rhode Island—Not more than \$500. Applying to (a). Not more than \$20 for each offense. Applying to (b).
South Dakota—Not less than \$10 nor more than \$100.
Tennessee—Not less than \$25 nor more than \$250. Applying to (a).
Texas—Not less than \$50 and not more than \$200, each day of violating act to constitute a separate offense. Applying to (a).
Vermont—\$50 for each offense.
Virginia—Not less than \$25 nor more than \$100.
Wisconsin—Not less than \$10 nor more than \$100 for each offense.

Fines or Imprisonment

- California—Not less than \$50 nor more than \$200, or by imprisonment for not more than 60 days, or by both such fine and imprisonment for each offense.
- Colorado—Not less than \$50 nor more than \$500 and imprisonment in the county jail not less than 30 days nor more than 3 months. Applying to (a).
- Indiana—Not more than \$50 for the first offense, and not more than \$100 for the second offense to which may be added imprisonment for not more than ten days and for the third offense not less than \$250, and not more than 30 days' imprisonment in the county jail. Applying to (a).
- Iowa—Not more than \$100 or imprisonment for not more than 30 days.
- Kansas—Not less than \$25 nor more than \$100, or imprisonment for not less than 30, nor more than 90 days.
- Louisiana—\$100 for each offense or imprisonment in the parish jail not more than 30 days, or both, in the discretion of the court.
- Massachusetts—Not more than \$300 or imprisonment for not more than 6 months and for every day thereafter, after notification by truant officer or inspector of factories, not less than \$20 nor more than \$100 or imprisonment for not more than 6 months,
- Michigan—Not less than \$5 nor more than \$100, or imprisonment for not less than 10 nor more than 90 days or both at discretion of the court.
- Missouri—Not less than \$10 nor more than \$100 or imprisonment in the county jail for not less than 2 nor more than 10 days or both, for each offense. Applying to (a).
- New York—Not less than \$20 nor more than \$100 for first offense; for second offense not less than \$50 nor more than \$200 or imprisonment for not more than 30 days, or both; for third offense not less than \$250 or imprisonment for not more than 30 days, or both.
- North Carolina—Punishment at the discretion of the court.
- Ohio—Not less than \$10 nor more than \$50 or imprisonment for not less than 10 nor more than 30 days.
- Oregon—Not less than \$10 nor more than \$25 for first offense, not less than \$25 nor more than \$50 for second and imprisonment for not less than 10 nor more than 30 days for third and each succeeding offense.
- Pennsylvania—Not less than \$25 nor more than \$500, or imprisonment for not less than 10 days or more than 60 days for each offense.
- South Carolina—Not less than \$10 nor more than \$50, or imprisonment for not more than 30 days at the discretion of the court.
- Washington—Not less than \$50 nor more than \$100, or imprisonment in the county jail for not more than one month for each offense. Applying to (a).
- West Virginia—Not less than \$10 nor more than \$20 for each offense. For employment in coal mines, not less than \$50 nor more than \$500. In default of payment, in the discretion of the court, imprisonment in county jail for not more than 3 months.

Penalty for Employer for Employing Child During School Hours

Fines Only

- Connecticut—\$20 for every week such child is so employed.
- Colorado—Not less than \$25 nor more than \$50.
- Illinois—Not less than \$5 nor more than \$100 for each offense and to stand committed until such fine and costs are paid.
- Massachusetts—Not more than \$50 for the first offense and for every day thereafter, after notification by truant officer or by inspector of factories, fine of not less than \$5 nor more than \$20.

Minnesota—Not less than \$20 nor more than \$50 for each offense.
 Missouri—Not less than \$20 nor more than \$50 and costs.
 Montana—Not less than \$25 nor more than \$50 for each offense.
 New Hampshire—Not more than \$50 for each offense.
 New York—\$50 for each offense.
 North Dakota—Not less than \$20 nor more than \$50 and costs for each offense.
 South Dakota—Not less than \$10 nor more than \$20 and costs for each offense.
 Vermont—Not more than \$50.
 Washington—Not more than \$25.
 West Virginia—Not less than \$10 nor more than \$20 for each offense.

Fines or Imprisonment

Ohio—Not less than \$10 nor more than \$50 or imprisonment for not less than 10 nor more than 30 days.
 Oregon—Not less than \$10 nor more than \$25 for first offense, not less than \$25 nor more than \$50 for second, and imprisonment for not less than 10 nor more than 30 days for third and each succeeding offense.

Penalty for Employer for Neglecting (a) to Keep File of Age and Schooling Certificates and (b) to Produce Them for the Inspection of the School Authorities or Factory Inspectors

Fines Only

Alabama—Not more than \$200. Applying to (a).
 Arkansas—Not more than \$500. Applying to (a).
 Connecticut—Not more than \$100.
 Illinois—Not less than \$5 nor more than \$50.
 Kentucky—Not more than \$50 for first offense and not more than \$200 for second offense.
 Maine—Failure to produce age certificate is prima facie evidence that the employment of the child for whom it is demanded, is illegal.
 Massachusetts—Failure to produce or to have listed age and schooling certificate, shall be prima facie evidence of the illegal employment of any child whose certificate is not produced or name not listed.
 Maryland—Not less than \$5 nor more than \$50 for the first offense and for every day thereafter, after notification by an attendance officer, or inspector, not less than \$5 nor more than \$20. Failure to produce age or schooling certificate shall be prima facie evidence of the illegal employment of the child whose certificate is not produced.
 Minnesota—Not less than \$25 nor more than \$50, for each offense. Failure to produce age or school certificate shall be prima facie evidence of the illegal employment of the child for whom it is not produced.
 Missouri—Not less than \$20 nor more than \$50 and costs.
 Montana—Not less than \$25 nor more than \$50 for each offense.
 Nebraska—Not less than \$20 nor more than \$50 for each offense, provided that no conviction shall be had under this act unless the proceedings therefor shall be commenced within one year after the offense shall have been committed. Applying to (a).
 New Hampshire—Not more than \$50 for each offense. Applying to (a).
 New Jersey—\$50 for each offense.
 Rhode Island—Not more than \$500.
 Vermont—Not more than \$50.
 Wisconsin—Not less than \$10 nor more than \$100 for each offense.

Fines or Imprisonment

California—Not less than \$50 nor more than \$200 or imprisonment of not more than 60 days, or both fine and imprisonment.

- Indiana—Not more than \$50 for first offense and not more than \$100 for second offense to which may be added imprisonment for not more than 10 days, and for third offense fine of not less than \$250 and not more than 30 days' imprisonment in the county jail.
- Iowa—Not more than \$100 or imprisonment for not more than 30 days.
- Louisiana—\$100 for each offense or imprisonment in the parish jail not more than 30 days, or both at discretion of court.
- Michigan—Not less than \$5 nor more than \$100, or imprisonment for not less than 10 days nor more than 90 days, or both at discretion of court.
- New York—Not less than \$20 nor more than \$100 for first offense; for second offense not less than \$50 nor more than \$200 or imprisonment for not more than 30 days, or both such fine and imprisonment; for third offense not less than \$250 or imprisonment for not more than 60 days or both fine and imprisonment.
- Ohio—Not less than \$10 nor more than \$50 or imprisonment for not less than 10 nor more than 30 days.
- Oregon—Not less than \$10 nor more than \$25 for first offense, not less than \$25 nor more than \$50 for second, and imprisonment for not less than 10 nor more than 30 days for each succeeding offense.
- Pennsylvania—Not less than \$25 nor more than \$500, or imprisonment for not less than 10 days nor more than 60 days for each offense.

Penalty for Employer for Employment of Illiterates Who Do Not Go to Night School

Fines Only

- Colorado—Not less than \$25 and not more than \$100.
- Connecticut—Not more than \$50.
- Illinois—Not less than \$5 nor more than \$100 and to stand committed until such fines and costs are paid.
- Maryland—Not more than \$100 for each offense.
- Minnesota—Not less than \$20 nor more than \$50.
- New Hampshire—Not more than \$20.
- New York—\$50 for each offense.

Fines or Imprisonment

- California—Not less than \$50 nor more than \$200, or imprisonment for not more than 60 days, or both fine and imprisonment for each offense.
- Michigan—Not less than \$5 and not more than \$100 or imprisonment for not less than 10 nor more than 90 days, or both, in the discretion of the court.

Penalty for Employer for Refusing Entrance to or Obstructing Factory Inspectors or School Authorities.

Fines Only

- California—Not less than \$50 nor more than \$200.
- Illinois—Not less than \$5 nor more than \$100 for each offense and to stand committed until such fines and costs are paid.
- Maine—\$50.
- Maryland—Not less than \$50 for each offense.
- Missouri—Not less than \$25 nor more than \$100.
- New Jersey—\$50 for each offense.
- Pennsylvania—Not more than \$500.
- Rhode Island—Not more than \$10.
- Wisconsin—Not less than \$10 nor more than \$100 for each offense.

Fines or Imprisonment

- Indiana—Not more than \$50 for first offense and not more than \$100 for second offense to which may be added imprisonment for not more than 10 days, and for third offense fine of not less than \$250 and not more than 30 days' imprisonment in the county jail.
- Iowa—Not more than \$100 and costs of prosecution or imprisonment in the county jail not exceeding 30 days.
- Kentucky—Not more than \$100 or imprisonment not more than 6 months or both fine and imprisonment at discretion of jury.
- Michigan—Not less than \$5 nor more than \$100 or imprisonment for not less than 10 nor more than 90 days, or both, at discretion of court.
- New York—Not less than \$20 nor more than \$100 for first offense, for second offense not less than \$50 nor more than \$200 or imprisonment for not more than 30 days, or both such fine and imprisonment; for third offense not less than \$250, or imprisonment for not more than 30 days, or both such fine and imprisonment.
- Oregon—Not less than \$10 nor more than \$25 for first offense, not less than \$25 nor more than \$50 for second offense, and imprisonment for not less than 10 nor more than 30 days for third and each succeeding offense.

Penalty for Parent for Allowing Child to Be Employed Under Age (a) or, Over Time (b)

Fines Only

- Alabama—Not more than \$200.
- Arkansas—Not more than \$500.
- Connecticut—Not more than \$60 and every week of such employment to be a distinct offense.
- Georgia—Usual penalty for misdemeanor.
- Illinois—Not less than \$5 nor more than \$25 and to stand committed until such fines and costs are paid.
- Kentucky—Not more than \$50 for first offense, and not more than \$200 for second offense.
- Maine—Not less than \$25 nor more than \$50 for each offense.
- Maryland—Not less than \$5 nor more than \$50 and for every day thereafter, after notification by inspector or attendance officer, not less than \$5 nor more than \$20.
- Massachusetts—Not more than \$50 for the first offense, and for every day thereafter that employment continues, after notification by a truant officer or by an inspector of factories, fine of not less than \$5 nor more than \$20 for (a); not less than \$50 nor more than \$100 for (b).
- Minnesota—Not less than \$20 nor more than \$50 for each offense.
- Nebraska—Not less than \$20 nor more than \$50 for each offense, provided that no conviction shall be had unless the proceedings therefor shall be commenced within one year after the offense shall have been committed. Applying to (a).
- New Jersey—\$50 for each offense.
- Oregon—Not less than \$5 nor more than \$25.
- Pennsylvania—Not more than \$500.
- Rhode Island—Not more than \$20 for each offense. Applying to (b).

Fines or Imprisonment

- California—Not less than \$50 nor more than \$200 or imprisonment of not more than 60 days, or both, for each offense.
- Iowa—Not more than \$100 or imprisonment for not more than 30 days.

- Michigan—Not less than \$5 nor more than \$100, or imprisonment for not less than 10 nor more than 90 days or both at discretion of court.
- Missouri—Not less than \$10 nor more than \$100, or imprisonment in county jail for not less than 2 nor more than 10 days or both, for each offense. Applying to (a).
- South Carolina—Not less than \$10 nor more than \$50, or imprisonment for not more than 30 days, at discretion of court. Applying to (a).
- Vermont—Not more than \$50, and for violation after being notified by truant officer, not less than \$5 nor more than \$20 for each day of such violation.
- West Virginia—Not less than \$10 nor more than \$20 for each offense. Applying to (a).

Penalty for Parent for Allowing Illiterate Child to Be Employed Without Attending Day or Night School

Fines Only

- Maryland—Not more than \$20.
- Minnesota—Not less than \$20 nor more than \$50 for each offense.
- New Hampshire—Not more than \$20.

Fines or Imprisonment

- Michigan—Not less than \$5 nor more than \$100, or imprisonment for not less than 10 nor more than 90 days, or both, at discretion of court.

Penalty for Making Any False Statements in an Age or Schooling Certificate

Fines Only

- Connecticut—Not more than \$20.
- Georgia—Usual penalty for misdemeanor.
- Illinois—Not less than \$5 nor more than \$100 for each offense and to stand committed until such fine and costs are paid.
- Kentucky—Usual punishment for perjury.
- Maine—\$100.
- Massachusetts—Not more than \$50.
- Minnesota—Not less than \$20 nor more than \$50.
- New Hampshire—Not less than \$20 nor more than \$50 for each offense.
- New Jersey—\$50 for each offense.
- North Dakota—Not less than \$20 nor more than \$50 and costs.
- Oregon—Not less than \$5 nor more than \$50.
- South Dakota—Not less than \$10 nor more than \$20.
- Vermont—Not more than \$50.

Fines or Imprisonment

- Alabama—Not less than \$5 nor more than \$100, or hard labor for term not exceeding 3 months. To be tried before some justice of the peace or other court or officer having jurisdiction for trial.
- Arkansas—Usual punishment for perjury.
- California—Not less than \$5 nor more than \$50, or imprisonment for not more than 30 days, or both fine and imprisonment.
- Iowa—Not more than \$100 or imprisonment for not more than 30 days.
- Maryland—Not more than \$50 or imprisonment for not more than 30 days, or both, at discretion of the court.
- New York—Not less than \$20 nor more than \$100 for first offense; for second offense, not less than \$50 nor more than \$200, or imprisonment for not more than 30 days, or both; for third offense not less than \$250, or imprisonment of not more than 60 days, or both.
- North Carolina—Punishment at the discretion of the court.

Pennsylvania—Not less than \$25 nor more than \$500, or imprisonment for not less than 10 nor more than 60 days.
South Carolina—Not less than \$10 nor more than \$50, or imprisonment for not more than 30 days at discretion of the court.
Tennessee—Punishment usual for perjury.

2. THE COMPULSORY EDUCATION LAWS

Almost all of the states having compulsory education laws provide for their enforcement by authorizing the appointment of one or more truant officers in each school district. These officers are usually appointed by the school authorities; they must notify parents of violations of compulsory education laws, and are given police powers for the arrest of truants. Their salaries are usually fixed by the boards appointing them and vary from no compensation to \$2 for each working day.

Penalty for Parent for Failure to Send Children to School

Fines Only

Connecticut—Not more than \$5, each week's failure to be a distinct offense.
District of Columbia—Not more than \$20.
Idaho—Not less than \$5 nor more than \$25 for the first offense; not less than \$10 nor more than \$50 for the second and each subsequent offense; besides costs.
Illinois—Not less than \$5 nor more than \$20 and costs and to stand committed until paid.
Iowa—Not less than \$3 nor more than \$20 for each offense.
Kansas—Not less than \$5 nor more than \$25.
Maine—Not more than \$25 for each offense.
Maryland—Not more than \$5 for each offense.
Massachusetts—Not more than \$20.
Minnesota—Not less than \$10 nor more than \$25 for the first offense.
Montana—Not less than \$5 nor more than \$20.
Nebraska—Not less than \$5 nor more than \$20.
Nevada—Not less than \$50 nor more than \$100 for the first offense, not less than \$100 nor more than \$200 for subsequent offenses.
New Hampshire—\$10 for first offense; \$20 for each subsequent offense.
North Dakota—Not less than \$5 nor more than \$20 for the first offense, not less than \$10 nor more than \$50 for subsequent offenses and costs.
Oregon—Not less than \$5 nor more than \$25.
Rhode Island—Not more than \$20 for each offense.
South Dakota—Not less than \$10 nor more than \$20 for each offense and to stand committed until fine and costs are paid.
Vermont—Not less than \$5 nor more than \$25.
Washington—Not less than \$20 nor more than \$50 for each offense.
West Virginia—\$2 for first offense and \$5 for each subsequent offense.
Wisconsin—Not less than \$5 nor more than \$50 for each offense.

Fines or Imprisonment

California—Not more than \$10, or imprisonment for not more than 5 days for first offense, for subsequent offenses, not less than \$10 nor more than \$50, or imprisonment for not less than 5 nor more than 25 days, or both fine and imprisonment.
Colorado—Not less than \$5 or more than \$20, or court may require parent or guardian to give bond of \$100, with sureties to the approval of Judge of county court, conditioned that he or she will cause child to attend some recognized school within 5 days after and to remain during term prescribed by law. Upon failure to pay fine or furnish bond, parent or guardian to be imprisoned in the county court not less than 10 day nor more than 30 days.

- Indiana—Not less than \$5 nor more than \$25, and in discretion of court, imprisonment in county jail for not less than 2 nor more than 90 days.
- Michigan—Not less than \$5 nor more than \$50, or imprisonment in county or city jail for not less than 2 nor more than 90 days, or both fine and imprisonment.
- Missouri—Not less than \$10 nor more than \$25, or imprisonment for not less than 2 nor more than 10 days, provided that sentence may be remitted if child is immediately placed and kept in school.
- New Jersey—Punishable as a disorderly person.
- New Mexico—Not less than \$5 nor more than \$25, or imprisonment for not more than 10 days.
- New York—Not more than \$5 for first offense and for each subsequent offense not more than \$50, or imprisonment for not more than 30 days or both fine and imprisonment.
- Ohio—Not less than \$5 nor more than \$20, or imprisonment for not less than 10 nor more than 30 days.
- Pennsylvania—Not more than \$2 for first offense and not more than \$5 for each subsequent offense, and in default imprisonment for not more than 2 days for first offense and not more than 5 days for each subsequent offense.

WHAT CONSTITUTES EFFECTIVE CHILD LABOR LAWS.

Effective legislation dealing with child-labor involves many differing elements including the child, the parent, the employer, the officials charged with the duty of enforcing the statutes, and finally the community which enacts laws, provides schools for the children when they are prohibited from working, supports and authorizes officers for the enforcement of the laws, prescribes penalties for their violation, assists dependent families in which the children are below the legal age for work. In the long run, the effectiveness of the law depends upon the conscience of the community as a whole far more than upon the parent and the employer acting together.

With the foregoing reservations and qualifications duly emphasized, the following summaries are believed to outline the substance of the effective legislation which it seems reasonable to try to secure in the present and the immediate future. They deal only with provisions for the child as a child, taking for granted the provisions for fire-escapes, safeguards for machines, toilet facilities and all those things which the child shares with the adult worker.

An effective child-labor law rests primarily upon certain definite prohibitions among which are the following:

LABOR IS PROHIBITED

- (1) for all children under the age of fourteen years,
- (2) for all children under sixteen years of age who do not measure sixty inches and weigh eighty pounds,*
- (3) for all children under sixteen years of age who cannot read fluently and write legibly simple sentences in the English language,
- (4) for all children under the age of sixteen years, between the hours of 7 p. m. and 7 a. m., or longer than eight hours in any twenty-four hours, or longer than forty-eight hours in any week,
- (5) for all children under the age of sixteen years in occupations dangerous to life, limb, health or morals.

THE CHILD

Effective legislation requires that before going to work the child satisfy a competent officer appointed for the purpose, that it

- (1) is fourteen years of age, and
- (2) is in good health, and
- (3) measures at least sixty inches and weighs eighty pounds, and
- (4) is able to read fluently and write legibly simple sentences in the English language, and
- (5) has attended school a full school year during the twelve months next preceding going to work

THE PARENT

Effective child-labor legislation requires that the parent

- (1) keep the child in school to the age of fourteen years and longer if the child has not completed its required school work, and

*This measure is not now specified in any statute though it is implied in the statute of New York, enacted in 1903.

THE EMPLOYER

- (2) take oath as to the exact age of the child before letting it begin to work, and
- (3) substantiate the oath by producing a transcript of the official record of the birth of the child, or the record of its baptism, or some other religious record of the time of the birth of the child, and must
- (4) produce the record of the child's school attendance, signed by the principal of the school which the child last attended.

Effective child-labor legislation requires that the employer before letting the child begin to work,

- (1) obtain and place on file ready for official inspection papers showing
 - (a) the place and date of birth of the child substantiated by
 - (b) the oath of the parent corroborated by
 - (c) a transcript of the official register of births, or by a transcript of the record of baptism, or other religious record of the birth of the child, and by
 - (d) the school record signed by the principal of the school which the child last attended, and by
 - (e) the statement of the officer of the Board of Education or the Board of Health designated for the purpose, that he has approved the papers and examined the child.
- (2) After permitting the child to begin to work, the employer is required to produce the foregoing papers on demand of the school-attendance officer, the health officer and the factory inspectors.
- (3) In case the child cease to work, the employer must restore to the child the papers enumerated above.
- (4) During the time that the child is at work, the employer must provide suitable seats, and permit their use so far as the nature of the work allows; and must
- (5) post and keep posted in a conspicuous place, the hours for beginning work in the morning, and for stopping work in the middle of the day; the hours for resuming work and for stopping at the close of the day; and all work done at any time not specified in such posted notice constitutes a violation of the law. The total number of hours must not exceed eight in any one day or forty-eight in one week.

THE OFFICIALS

Effective legislation for the protection of children requires that the officials entrusted with the duty of enforcing it

- (1) give their whole time, not less than eight hours of every working day, to the performance of their duties, making night inspections whenever this may be necessary to insure that children are not working during the prohibited hours; and
- (2) treat all employers alike, irrespective of political considerations, of race, religion or power in a community;
- (3) prosecute all violations of the law;
- (4) keep records complete and intelligible enough to facilitate the enactment of legislation suitable to the changing conditions of industry.

THE SCHOOL

The best child-labor law is a compulsory education law covering forty weeks of the year and requiring the consecutive attendance of all the children to the age of fourteen years, and until sixteen years, unless they have meanwhile completed a specified portion of the curriculum, as eight years in Colorado or five years in New York. It is never certain that children are not at work, if they are out of school. In order to keep the children, however, it is not enough to compel attendance—the schools must be modified and adapted to the needs of the

recent immigrants in the North and of the poor whites in the South, affording instruction which appeals to the parents as worth having, in lieu of the wages which the children are forbidden to earn, and appeals to the children as interesting and attractive. No system of child-labor legislation can be regarded as effective which does not face and deal with these facts.

The vacation school and camp promise reinforcement of the child-labor laws; which are now seriously weakened by the fact that the long vacation leaves idle upon the streets children whom employers covet by reason of the low price of their labor, while parents, greedy for the children's earnings and anxious lest the children suffer from the life of the streets, eagerly seek work for them. Nothing could be worse for the physique of the school child than being compelled to work during the summer; and the development of the vacation school and vacation camp alone seems to promise a satisfactory solution of the problem of the vacation of the city child of the working class.

THE COMMUNITY

Effective child-labor legislation places upon the community many duties, among which are

- (1) maintaining officials—men and women—school-attendance officers, health officers, and factory inspectors, all of whom need
 - (a) salary and traveling expenses,
 - (b) access at all reasonable times to the places where children are employed,
 - (c) power to prosecute all violations of the statutes affecting working children,
 - (d) tenure of office so effectively assured that they need not fear removal from office in consequence of prosecuting powerful offenders;
- (2) maintaining schools in which to educate the children who are prohibited from working;
- (3) maintaining vital statistics, especially birth records, such that the real age of native children may be readily ascertained;
- (4) maintaining provision for the adequate relief of dependent families in which the children are not yet of legal age for beginning work.

More important, however, than the enactment of the foregoing provisions is the maintenance in the community of a persistent, lively interest in the enforcement of the child-labor statutes. Without such interest, judges do not enforce penalties against offending parents and employers; inspectors become discouraged and demoralized; or faithful officers are removed because they have no organized backing, while some group of powerful industries clamors that the law is injuring its interest. Well-meaning employers grow careless, infractions become the rule, and workmen form the habit of thinking that laws inimical to their interest are enforced, while those framed in their interest are broken with impunity.

Upon parents there presses incessant poverty, urging them to seek opportunities for wage-earning, even for the youngest children; and upon the employers presses incessant competition, urging them to reduce the pay-roll by all means, fair and foul. No law enforces itself; and no officials can enforce a law which depends upon them alone. It is only when they are consciously the agents of the will of the people that they can make the law really protect the children effectively.

A STANDARD CHILD LABOR LAW.

The best provisions of the law of New York, Illinois and Massachusetts have been included in the Standard Child Labor Law which follows:

BE IT ENACTED, ETC., AS FOLLOWS:

Compiled from New York Factory and Mercantile Establishments Laws of 1903.

Sec. 1. No child under fourteen years of age shall be employed, permitted or suffered to work in or in connection with any factory, workshop, mercantile establishment, store, business office, telegraph office, restaurant, hotel, apartment house or in the distribution or transmission of merchandise or messages. It shall be unlawful for any person, firm or corporation to employ any child under fourteen years of age in any business or service whatever, during any part of the term during which the public schools of the district in which the child resides are in session.

Child Under 14 Years

New York Compulsory Education Law of 1903, Sec. 5.

Compiled from Massachusetts law and New York Factory Law of 1903.

Sec. 2. No child between fourteen and sixteen years of age shall be employed, permitted or suffered to work in any factory, workshop or mercantile establishment unless the person or corporation employing him procures and keeps on file and accessible to the truant officers of the town or city, and to the inspectors of factories, an employment certificate as hereinafter prescribed, and keeps two complete lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such children are employed. On termination of the employment of a child so registered, and whose certificate is so filed, such certificate shall be forthwith surrendered by the employer to the child or its parent or guardian or custodian. The inspector of factories may make demand on an employer in whose factory a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not then filed as required by this article, that such employer shall either furnish him within ten days, evidence satisfactory to him that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such factory. The inspector of factories may require from such employer the same evidence of age of such child as is required on the issuance of an employment certificate; and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to the inspector of factories *within* ten days after such demand such evidence of age herein required by him, and shall thereafter continue to employ such child or permit or suffer such child to work in such factory, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for a violation of this article that such child is under sixteen years of age and is unlawfully employed.

Child Under 16 Years.

Child Apparently Under 16 Years.

New York Factory Law of 1905.

Massachusetts Law

Sec. 3. An employment certificate shall be approved only by the superintendent of schools or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized by the school committee: provided that no member of a school committee or other person authorized as aforesaid shall have authority to

Employment Certificate by Whom Approved,

approve such certificate for any child then in or about to enter his own employment, or the employment of a firm or corporation of which he is a member, officer or employee.

Compiled
from
New York
Factory
Law of 1903
Ch. 184
and
Oregon
Factory Law
of 1904.

Sec. 4. The person authorized to issue employment certificate shall not issue such certificate until he has received, examined, approved, and filed the following papers duly executed: (1) The school record of such child properly filled out and signed as provided in this article. (2) A passport or duly attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of such child. A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording births, shall be conclusive evidence of the age of such child. (3) The affidavit of the parent or guardian or custodian of a child, which shall be required, however, only in case such last mentioned transcript of the certificate of birth be not produced and filed, showing the place and date of birth of such child; which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath, and who shall not demand or receive a fee therefor. Such employment certificate shall not be issued until such child farther has personally appeared before and been examined by the officer issuing the certificate, and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and legibly write simple sentences in the English language and that in his opinion the child is fourteen years of age or upwards and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health. Every such employment certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued.

**Employment
Certificate.**

Sec. 5. Such certificate shall state the date and place of birth of the child, and describe the color of the hair and eyes, the height and weight and any distinguishing facial marks of such child, and that the papers required by the preceding section have been duly examined, approved and filed and that the child named in such certificate has appeared before the officer signing the certificate and been examined.

**Contents of
Certificate.**

Sec. 6. The school record required by this article shall be signed by the principal or chief executive officer of the school which such child has attended and shall be furnished, on demand, to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public schools or schools equivalent thereto or parochial schools for not less than one hundred and sixty days during the school year previous to his arriving at the age of fourteen years or during the year previous to applying for such school record and is able to read and write simple sentences in the English language, and has received during such period instruction in reading, spelling, writing, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions. Such school record shall also give the age and residence of the child as shown on the records of the school and the name of its parent or guardian or custodian.

**School
Record
What to
Contain.**

Sec. 7. The local board of education or the school committee of a city, village or town, shall transmit, between the first and tenth day of each month, to the office of the factory inspector, a list of the names of the children to whom certificates have been issued.

**Report of
Certificates
Issued.**

Sec. 8. No person under the age of sixteen years shall be employed or suffered or permitted to work at any gainful occupation more than forty-eight hours in any one week, nor more than eight hours in any one day; or before the hour of seven o'clock in the morning or after the hour of seven o'clock in the evening. Every employer shall post in a conspicuous place in every room where such minors are employed a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the State Inspector of Factories, and the employment of any minor for longer time in any day so stated shall be deemed a violation of this section.

Hours of
Labor.

Sec. 9. Whoever employs a child under sixteen years of age, and whoever having under his control a child under such age permits such child to be employed in violation of sections one, two, or eight of this act, shall, for such offense, be fined not more than fifty dollars; and whoever continues to employ any child in violation of either of said sections of this act after being notified by a truant officer or an inspector of factories thereof, shall for every day thereafter that such employment continues, be fined not less than five nor more than twenty dollars. A failure to produce to a truant officer or inspector of factories any employment certificate or list required by this act shall be prima facie evidence of the illegal employment of any person whose employment certificate is not produced or whose name is not so listed. Any corporation or employer retaining employment certificates in violation of section five of this act shall be fined ten dollars. Every person authorized to sign the certificate prescribed by section five of this act who knowingly certifies to any materially false statement therein shall be fined not more than fifty dollars.

Failure to
Produce
Certificate.

Sec. 10. Truant officers may visit the factories, workshops and mercantile establishments in their several towns and cities and ascertain whether any minors are employed therein contrary to the provisions of this act, and they shall report any cases of such illegal employment to the school committee and to the inspector of factories. Inspectors of factories and truant officers may require that the employment certificates and lists provided for in this act, of minors employed in such factories, workshops or mercantile establishments, shall be produced for their inspection. Complaints for offenses under this act shall be brought by inspectors of factories.

Truant
Officers to
Inspect
Work
Places.

Sec. 11. No child under the age of sixteen years shall be employed at sewing belts, or to assist in sewing belts, in any capacity whatever; nor shall any child adjust any belt to any machinery; they shall not oil or assist in oiling, wiping or cleaning machinery; they shall not operate or assist in operating circular or band saws, wood-shapers, wood-jointers, planers, sandpaper or wood-polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, operating corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating any steam boiler, steam machinery, or other steam generating apparatus, or as pin boys in any bowling alleys; they shall not operate or assist in operating, dough brakes, or cracker machinery of any description; wire or iron straightening machinery; nor shall they operate or assist in operating rolling mill machinery, punches or shears, washing, grinding or mixing mill or calender rolls in rubber manufacturing, nor shall they operate or assist in operating laundry machinery; nor shall children be employed in any capacity in preparing any composition in which

Employ-
ments For-
bidden
Children
Under 16
Years of
Age.

dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in operating or assisting to operate any passenger or freight elevator; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, or any other employment that may be considered dangerous to their lives or limbs, or where their health may be injured or morals depraved; nor in any theatre, concert hall, or place of amusement wherein intoxicating liquors are sold; nor shall females under sixteen years of age be employed in any capacity where such employment compels them to remain standing constantly.

AN ACT TO PROVIDE FOR THE PUNISHMENT OF PERSONS RESPONSIBLE FOR OR CONTRIBUTING TO THE DELINQUENCY OF CHILDREN.

This valuable law, known as the Adult Delinquency Law, is of particular importance for children working in street trades, for messengers and delivery boys and children whose work may bring them into immoral or dangerous surroundings. Under its provisions, for example, the saloonkeeper who sells liquors to a minor, as well as the parent or employer who sends the child to a saloon, are liable as contributors to his guilt.

Section I. In all cases where any child shall be a delinquent child or a juvenile delinquent person, as defined by the statute of this state, the parent or parents, legal guardian, or person having the custody of such child, or any other person, responsible for, or by any act encouraging, causing or contributing to the delinquency of such child, shall be guilty of a misdemeanor, and upon trial and conviction thereon shall be fined in a sum not to exceed one thousand dollars (\$1,000), or imprisoned in the county jail for a period not exceeding one (1) year, or by both such fine and imprisonment. The court may impose conditions upon any person found guilty under this act, and so long as such person shall comply therewith to the satisfaction of the court the sentence imposed may be suspended.

NEWSBOY LAW

Various cities throughout the country—such as Hartford, Conn., Portland, Me., Detroit, Mich., etc.—have ordinances regarding the work of children in street trades, but none of them are so worded or so enforced as to be of any value. Massachusetts and New York alone have state laws regulating the work of newsboys.

The dangers of street trades for young boys have been ignored until within the last few years. Investigation shows the physical and moral injury which these trades entail if unregulated. The worst evils are: 1. Irregularity of sleep and meals; 2. Encouragement to truancy and defiance of parental control; 3. Nightwork; 4. Introduction to many vices on the street.

In every community, these conditions prevail unchecked, to a greater or less degree. In the absence of a more effective law, the Newsboy Law of New York is printed in full, with a brief statement of the provisions in which it is excelled by the Massachusetts law.

The method of enforcing the New York law is radically defective. The statute requires the police to arrest offending newsboys, and provides for trial before a court empowered to commit to reformatory institutions. Three years' experience proves that neither the uniformed nor the plain clothes police are willing or able to enforce this law. As the act of selling on the streets out of school hours, is a privilege which should be granted to school boys in good standing, the enforcement of the law should necessarily be entrusted to the school authorities.

LAWS OF NEW YORK

AN ACT to amend the labor law relating to children working in streets and public places in cities of the first class and second.

Became a law, April 8, 1903, with the approval of the Governor. Amended 1905.

§ 174. **Prohibited employment of children in street trades.**—No male child under ten, and no girl under sixteen years of age shall, in any city of the first or second class, sell or expose or offer for sale newspapers in any street or public place.

§ 175. **Permit and badge for newsboys, how issued.**—No male child actually or apparently under fourteen years of age shall sell or expose or offer for sale said articles unless a permit or badge as hereinafter provided shall have been issued to him by the district superintendent of the board of education of the city and school district where said child resides, or by such other officer thereof as may be officially designated by such board for that purpose, on the application of the parent, guardian or other person having the custody of the child desiring such permit and badge, or in case said child has no parent, guardian or custodian, then on the application of his next friend, being an adult. Such permit and badge shall not be issued until the officer issuing the same shall have received, examined, approved and placed on file, in his office, satisfactory proof that such male child is of the age of ten years or upwards. No permit or badge provided for herein shall be valid for any purpose except during the period in which such proof shall remain on file, nor shall such permit or badge be authority beyond the period fixed therein for its duration. After having received, examined, approved and placed on file such proof, the officer shall issue to the child a permit and badge.

§ 176. **Contents of permit and badge.**—Such permit shall state the date and place of birth of the child, the name and address of its parent, guardian, custodian or next friend, as the case may be, and describe the color of hair and eyes, the height and weight, and any distinguishing facial mark of such child, and shall

further state that the proof required by the preceding section has been duly examined, approved and filed; and that the child named in such permit has appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding to the number of the permit, and the name of the child. Every such permit, and every such badge, on its reverse side, shall be signed in the presence of the officer issuing the same by the child in whose name it is issued.

§ 177. **Regulations concerning badge and permit.**—The badge provided for herein shall be worn conspicuously at all times by such child while so working; and such permit and badge shall expire at the end of one year from the date of their issue. No child to whom such permit and badge are issued, shall transfer the same to any other person nor be engaged in any city of the first or second class as a newsboy, or shall sell or expose or offer for sale newspapers in any street or public place without having upon his person such badge, and he shall exhibit the same upon demand at any time to any police, or attendance officer.

§ 178. **Badge and permit to be surrendered.**—The parent, guardian, custodian or next friend, as the case may be, of every child to whom such permit and badge shall be issued, shall surrender the same to the authority by which said permit and badge are issued, at the expiration of the period provided therefor.

§ 179. **Limit of hours.**—No child to whom a permit and badge are issued as provided for in the preceding sections, shall sell or expose or offer for sale, any newspapers after ten o'clock in the evening.

§ 179a. **Violation of this article, how punished.**—Any child who shall work in any city of the first or second class in any street or public place as a newsboy or shall sell or expose or offer for sale newspapers under circumstances forbidden by the provisions of this article, must be arrested and brought before a court or magistrate having jurisdiction to commit a child to an incorporated charitable reformatory or other institution, and be dealt with according to law; and if any such child is committed to an institution, it shall, when practicable, be committed to an institution governed by persons of the same religious faith as the parents of such child.

§ 2. Nothing in this act contained shall be deemed or construed to repeal amend, modify, impair or in any manner affect any provision of the penal code or the code of criminal procedure.

ADDITIONAL PROVISIONS IN FORCE IN MASSACHUSETTS

The following provisions of the Massachusetts law excel the New York law and should be incorporated in any statute hereafter adopted.

No child shall work as a bootblack unless he is over ten years of age; and he shall not sell any other article except newspapers, unless he is over twelve years of age.

Every permit shall be issued on the condition that the holder thereof shall, so long as he continues under the age of fourteen years, attend, during every session thereof, one of the public schools, or some regularly established school in the city of Boston, approved by the committee on licenses of said city.

Any minor who violates any of said terms will be deprived of his permit and badge, and be fined.

[Refer to this bill as S. 2962.]

A BILL TO ESTABLISH IN THE DEPARTMENT OF THE INTERIOR A BUREAU TO BE KNOWN AS THE CHILDREN'S BUREAU

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Department of the Interior a bureau to be known as the Children's Bureau.

Sec. 2. That the said bureau shall be under the direction of a chief, to be appointed by the President, by and with the advice and consent of the Senate, and who shall receive an annual compensation of \$5,000. The said bureau shall investigate and report upon all matters pertaining to the welfare of children and child life, and shall especially investigate the questions of infant mortality, the birth rate, physical degeneracy, orphanage, juvenile delinquency and juvenile courts, desertion and illegitimacy, dangerous occupations, accidents and diseases of children of the working classes, employment, legislation affecting children in the several States and Territories, and such other facts as have a bearing upon the health, efficiency, character and training of children. The chief of said bureau shall, from time to time, publish the results of these investigations.

Sec. 3. That there shall be in said bureau, until otherwise provided for by law, an assistant chief, to be appointed by the Secretary of the Interior, who shall receive an annual compensation of \$3,000; one private secretary to the chief of the bureau, who shall receive an annual compensation of \$1,500; a chief clerk, who shall receive an annual compensation of \$2,000; one statistical expert at \$2,000; four clerks of class four; four clerks of class three; two clerks of class two, and six clerks of class one; five clerks at \$1,000 each; two copyists at \$900 each; one messenger at \$720; two special agents at \$1,400 each, and two special agents at \$1,200 each

Sec. 4. That the Secretary of the Interior is hereby directed to furnish sufficient quarters for the work of this bureau, at an annual rental not to exceed \$2,000

Sec. 5. That this act shall take effect and be in force from and after its passage.

[Refer to this bill as S. 50 or H. R. 4462.]

**A BILL TO REGULATE THE EMPLOYMENT OF CHILD LABOR
IN THE DISTRICT OF COLUMBIA**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no child under fourteen years of age shall be employed, permitted, or suffered to work in any factory, workshop, mercantile establishment, store, business office, telegraph office, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages. No such child shall be employed in any work performed for wages or other compensation, to whomsoever payable, during the hours when the public schools of the District of Columbia are in session, nor be employed at any work before the hour of six o'clock in the morning or after the hour of seven o'clock in the evening.

Sec. 2. That no child under sixteen years of age shall be employed, permitted or suffered to work in any of the establishments named in section one, unless the person or corporation employing him produces and keeps on file and accessible to the inspectors authorized by this act and the truant officers of the District of Columbia an age and schooling certificate, and keeps two complete lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such children are employed.

Sec 3. That an age and schooling certificate shall be approved only by the superintendent of public schools, or by a person authorized by him in writing, who shall have authority to administer the oath provided for therein, but no fee shall be charged therefor.

Sec. 4. That an age and schooling certificate shall not be approved unless satisfactory evidence is furnished by duly attested transcript of the certificate of birth or baptism of such child, or other religious record, or the register of birth, or the affidavit of the parent or guardian or custodian of a child, which affidavit shall be required, however, only in case such last-mentioned transcript of the certificate of birth be not produced and filed, showing the place and date of birth of such child; which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath, and who shall not demand or receive a fee therefor.

Sec. 5. That the age and schooling certificate of a child under sixteen years of age shall be in the following form:

AGE AND SCHOOLING CERTIFICATE

This certifies that I am the (father, mother, guardian or custodian) of (name of child).....and that (he or she) was born at (name of town or city).....in the county of (name of county, if known).....and State (or country) of.....on the (day and year of birth).....and is now (number of years and months).....old.

Signature of (father, mother, guardian or custodian.)

(Date)

There personally appeared before me the above-named (name of person signing).....and made oath that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge and belief. I hereby approve the foregoing certificate of (name of child).....height (feet and inches).....eyes (color).....complexion (fair or dark).....hair (color).....having no sufficient reason to doubt that (he or she) is of the age therein certified, I hereby certify that (he or she) can read at sight and (can or cannot) write legibly simple sentences in the English language, and that (he or she) has reached the normal development of a child of (his or her) age, and is in sound health and is physically able to perform the work which (he or she) intends to do, and that (he or she) has regularly attended the public schools, or a school equivalent thereto, for not less than 130 days during the school year previous to arriving at the age of fourteen years, or during the year previous to applying for such school record, and has received during such period instruction in reading, spelling, writing, English grammar, and geography, and is familiar with the fundamental operations of arithmetic to and including fractions.

This certificate belongs to (name of child in whose behalf it is drawn).....and is to be surrendered to (him or her) whenever (he or she) leaves the service of the corporation or employer holding the same; but if not claimed by said child within thirty days from such time it shall be returned to the superintendent of schools.

(Signature of person authorized to approve and sign, with official character or authority.)

(Date)

A duplicate of each age and schooling certificate shall be filled out and kept on file by the superintendent of public schools. Any explanatory matter may be printed with such certificates, in the discretion of said superintendent.

Sec. 6. That whoever employs a child under sixteen years of age, and whoever having under his control a child under such age permits such child to be employed, in violation of sections one, two, eight or nine of this act, shall, for such offense, be fined not more than fifty dollars; and whoever continues to employ any child in violation of any of said sections of this act, after being notified by an inspector authorized by this act or a truant officer of the District of Columbia, shall for every day thereafter that such employment continues be fined not less than five nor more than twenty dollars. A failure to produce to an inspector authorized by this act, or a truant officer of the District of Columbia, any age or schooling certificate or list required by this act shall be prima facie evidence of illegal employment of any person whose age and schooling certificate is not produced or whose name is not so listed. Any corporation or employer retaining any age and schooling certificate in violation of section five of this act shall be fined ten dollars. Every person authorized to sign the certificate prescribed by section five of this act who knowingly certifies to any materially false statement therein shall be fined not more than fifty dollars.

Sec. 7. That inspectors authorized by this act and the truant officers of the District of Columbia may visit the factories, workshops, and mercantile establishments in the District of Columbia and ascertain whether any minors are employed therein contrary to the provisions of this act, and they shall report any cases of such illegal employment to the superintendent of public schools and the corporation counsel of the District of Columbia. Inspectors authorized by this act and the truant officers of the District of Columbia may require that the age and schooling certificates and lists provided for in this act of minors employed in such factories, workshops or mercantile establishments shall be produced for their inspection.

Sec. 8. That no minor under sixteen years of age shall be employed, permitted, or suffered to work in any manufacturing, mechanical or mercantile establishment more than eight hours in any one day, or after the hour of seven o'clock post meridian, and in no case shall the number of hours exceed forty-eight in a week.

Sec. 9. That every employer shall post in a conspicuous place in every room where such persons are employed a printed notice, stating the number of hours required of them on each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the inspectors authorized by this act and the truant officers of the District of Columbia, and the employment of any such person for a longer time in any day than that so stated shall be deemed a violation of this section.

Sec. 10. That the Commissioners of the District of Columbia are hereby authorized to appoint two inspectors to carry out the purpose of this Act, at a compensation not exceeding one thousand two hundred dollars each per annum.

(Refer to this bill as S. 6562 and H. R. 21,404)

A BILL TO PREVENT THE EMPLOYMENT OF CHILDREN IN FACTORIES AND MINES

This bill, known as the Beveridge-Parsons Child Labor Bill, marks the first attempt to cope with child labor throughout the country by the Federal Government. It is meant to fill the urgent need for uniformity of child labor laws in all the states, a uniformity hitherto not even approximated by separate efforts of the individual states as this Handbook illustrates. This bill, if enacted into law, will set a minimum standard below which the nation does not permit any of the states to fall.

The Beveridge-Parsons Bill has been endorsed by the National Child Labor Committee, and an effort to secure its enactment will constitute one of the Committee's chief interests this winter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That six months from and after the passage of this act no carrier of interstate commerce shall transport or accept for transportation the products of any factory or mine in which children under fourteen years of age are employed or permitted to work, which products are offered to said interstate carrier by the firm, person, or corporation owning or operating said factory or mine, or any officer or agent or servant thereof, for transportation into any other state or territory than the one in which said factory is located.

Sec. 2. That no carrier of interstate commerce shall transport or accept for transportation the products of any factory or mine offered it for transportation by any person, firm, or corporation which owns or operates such factory or mine, or any officer, agent, or servant of such person, firm, or corporation, until the president or secretary or general manager of such corporation or a member of such firm or the person owning or operating such factory or mine shall file with said carrier an affidavit to the effect that children under fourteen years of age are not employed in such factory or mine

Sec. 3. That the form of said affidavit shall be prescribed by the Secretary of the Department of Commerce and Labor. After the first affidavit is filed a like affidavit shall be filed, on or before July first and on or before December thirty-first of each year, with the interstate carrier to which such factory or mine offers its products for transportation; and after the first affidavit subsequent affidavits shall also state that no children under fourteen years of age are employed or permitted to work in said factory or mine or have been employed or permitted to work in said factory or mine at any time during the preceding six months.

Sec. 4. That any officer or agent of a carrier of interstate commerce who is a party to any violation of this act or who knowingly violates any of the provisions of this Act shall be punished for each offense by a fine of not more than ten thousand dollars nor less than one thousand dollars or by imprisonment for not more than six months nor less than one month or by both said fine and imprisonment, in the discretion of the court. Any person by this act required to file the affidavit herein provided for who fails or refuses to file such affidavit or who shall make a false statement in said affidavit, shall be punished by a fine not exceeding twenty thousand dollars nor less than five thousand dollars or by imprisonment not exceeding one year nor less than three months, or by both said fine and imprisonment, in the discretion of the court.

SOME RECENT JUDICIAL DECISIONS.

The Supreme Court of California on the Constitutionality of the Child Labor Law of 1905. (Ex parte Spencer, Crim. Nos. 1332, 86 Pacific Reporter, p. 896.) *

This case involved four complaints, relating to four different children employed under 14 years of age in the workshop and boiler room of a steamer, the child not then having a permit to work from the judge of the juvenile court of the county, and the time of employment not being in vacation of the public schools. Judge Shaw for the court said:

The Law.

The second clause of section 2 of the act provides that no child under fourteen years of age shall be employed in any mercantile institution, office, laundry, manufactory, workshop, restaurant, hotel, or apartment house, or in the distribution or transmission of merchandise or messages; provided, that upon the sworn statement of the parent that the child is over twelve years of age and that the parent or parents are unable, from sickness to labor, the judge of the juvenile court, in his discretion, may issue a permit allowing such child to work for a specific time, and provided, further, that during the time of the regular vacation of the public schools of the city or county, any child over twelve years of age may work at any of the prohibited occupations, upon a permit from the principal of the school attended by the child during the immediately preceding term. Section 4 of the act declares that a violation of any of the provisions of the act shall be a misdemeanor. The complaints charge violations of these provisions.

Several objections on constitutional grounds are made to the validity of the act. It is claimed that it is special law for the punishment of crime, where a general law could be made applicable, and therefore, contrary to sections 2 and 33 of Article IV of the Constitution of California; that it is not of uniform operation, but is discriminatory; and hence in conflict with sections 11 and 21 of Article I, and that it would deprive persons of the right to acquire and possess property, thus violating section 1 of Article I of the State Constitution and the Fourteenth Amendment to the Constitution of the United States.

The Objections.

The presumption always is that an act of the Legislature is constitutional, and when this depends on the existence, or non-existence, of some fact, or state of facts, the determination thereof is primarily for the legislature, and the courts will acquiesce in its decision, unless the error clearly appears (*Bourland v. Hildreth*, 26 Cal. 184; *University v. Bernard*, 57 Cal. 612; *In re Madera Irr. Dist.*, 92 Cal. 310; *Sinking Fund Cases*, 99 U. S. 718; *Tiedman on Police Power*, Vol. 1, p. 10, note; *Cooley, Const. Lim.* 7th Ed. 228.) "Every possible presumption is in favor of the validity of a statute, and this continues until the contrary is shown beyond a rational doubt. One branch of the government cannot encroach on the domain of another without danger. The safety of our institutions depends in no small degree on a strict observance of this salutary rule." (*Sinking Fund Cases*, *Supra.*) "The delicate act of de-

Legislative Act should be Presumed Constitutional.

* By courtesy of the West Publishing Co.

claring an act of the Legislature unconstitutional and void should never be exercised unless there is a clear repugnancy between the statute and the organic law. . . . In a doubtful case the benefit of the doubt is to be given to the Legislature; but it is to be remembered that the doubt to which this rule of construction refers is a reasonable doubt as distinguished from vague conjecture or misgivings." (*Bourland v. Hildreth*, supra.)

From their tender years, immature growth and lack of experience, and knowledge, minors are more subject to injury from excessive exertion and less capable of self-protection than adults. They are therefore, peculiarly entitled to legislative protection and form a class to which legislation may be exclusively directed without falling under the constitutional prohibitions of special legislation and unfair discrimination.

Law does not
Discriminate
Unfairly.

The first objection to the validity of the part of the section above stated is that it is discriminatory and special because it does not prohibit such employment of minors in all occupations, but only in those specifically mentioned; that work at other places, of which saloons, barber shops, railroads, ferries and warehouses are specified by counsel as instances, would be equally injurious, and that in order to be general and uniform they should be included in the prohibition. The objection is two-fold; first, that the legislation constitutes an unfair discrimination against the particular trades mentioned; second, that it unduly and without reasonable cause restricts the right of minors to work at any and every occupation in which they may wish to engage. There is nothing in the act to indicate a purpose on the part of the legislature to make use of the laudable object of protecting children as a mere pretense under which to impose burdens upon some occupations or trades and favor others. It appears to have been framed in good faith and for the purpose of promoting the general welfare by protecting minors from injury by overwork and facilitating their attendance at schools. The legislature may undoubtedly forbid the employment of children under the age of fourteen years at any regular occupation if the interests of the children and the general welfare of society will be thereby secured and promoted. The power to forbid their employment in certain occupations and not in all depends on the question whether or not any appreciable number of children are employed in the callings not forbidden, and whether or not those callings are injurious to them, or less injurious than those forbidden. If certain occupations are especially harmful for young children and others are not so, there can be no serious doubt that it is within the power of the legislature to forbid their employment in one class and permit it in the other. The difference in the results would justify the classification with a view to the difference in the legislation. Also, if children are employed in certain occupations to their injury and are not employed at all in others, or so infrequently that the number is inappreciable and insignificant, the occupations regularly employing them have no ground to complain of discrimination. They compose the entire class to which the legislation is directed, the class which causes the injury to be prevented. And upon the facts assumed neither the children engaged in the occupations in which they are employed nor the persons would be affected by the prohibition as to other occupations. The preliminary questions as to the effect of the specified occupations on the children and the number of children engaged therein, are questions

of fact for the legislature to ascertain and determine. It has determined that the facts exist to authorize the particular legislation. If any rational doubt exists as to the soundness of the legislative judgment upon the existence of the facts, that doubt must be resolved in favor of the legislative action and the law must accordingly be held to be valid in these respects. The specifications of forbidden callings are broad and comprehensive. Even of these which as counsel assert, are omitted from the classification, we cannot say that a saloon is not a "mercantile institution," it being a place where merchandise is sold; nor that a barber shop is not a "workshop," it being a place where a handicraft is carried on; nor that ferries and railroads are not engaged in the "distribution or transmission of merchandise or messages." At all events, in view of the rule that a statute must be liberally construed to the end that it may be declared constitutional rather than unconstitutional, (*People v. Hayne*, 83 Cal. 117; 26 Am. & Eng. Encyc. of Law, 640), we would not give the description of forbidden occupations this narrow construction in order to make the law invalid. The decision of the legislature that the specified occupations are more injurious to children than others not mentioned and hence the subject of special regulation, and that they constitute practically all the injurious occupations in which children are employed at all, and therefore, the only cases in which regulation is needed, is not so manifestly incorrect, not so beclouded with doubt concerning its accuracy, as to justify the court in declaring it unfounded and the law, consequently, invalid.

There is a proviso to this clause of the section, to the effect that if either parent of such child makes a sworn statement to the judge of the juvenile court of the county, that the child is over twelve years of age, and that the parent or parents are unable, from sickness, to labor, such judge, in his discretion, may issue a permit allowing such child to work for a time to be specified therein. There is no force to the objection that this discriminates orphans and abandoned children. The exception allowed by the proviso is not made for the direct benefit of the child, but for the sick parent. It is a burden put upon the child because of the special necessity of his case which justifies the different provision respecting him. The legislature deems the necessity of allowing the child to work to aid in the support of the sick parent, sufficient to outweigh the benefits which would otherwise accrue from the education and protection of the child during such inability. If there are no parents whose necessities the child's labor could alleviate, the reason for this exception is wanting. The provision seems a reasonable one in view of the conditions upon which, alone, it can apply.

There is a further proviso or exception, to the effect that any child over twelve years old may work at the prohibited occupations during the time of the regular vacations of the public schools of the city or county, upon a permit from the principal of the school attended by the child during the term next preceding such vacation. This does not, as counsel contends, give the principals of the public schools the exclusive power to give the contemplated permits. Its true meaning is that the permit is to be given by the principal of the school which the child has attended, whether the school is public or private, but that it can extend only to the time of the public school vacation. This act was approved February 20, 1905. Its provisions relating to attendance upon

schools, and those of section 1 of the act of March 24, 1903 (Stats. 1903, 388), with the amendment of March 20, 1905 (Stats. 1905, 388), to said section 1 must be considered together. The act of 1903 in effect, requires all children to attend, either the public schools, or a private school, during at least five months of the time of the sessions of the public schools. The amendment of March 20, 1905, extends the time of such compulsory attendance so as to embrace the whole period of the public school session. Therefore, if the parents, guardians or custodians of a child choose to send it to a private school, it must attend thereon at least during the time the public schools are in session. A permit may then be obtained for it to work during the vacation of the public schools, if its interests or necessities so require, without subjecting it to conditions substantially different from those affecting the children attending the public schools. There is no discrimination. The legislature has the power to make such reasonable regulations as these with respect to the time of the vacations of schools, whether public or private, in the interest of the public welfare and the welfare of the children.

**Educational
Requirements
Constitutional**

A third clause of section 2 declares that no child under sixteen years of age shall work at any gainful occupation during the hours that the public schools are in session, unless such child can read English at sight and write simple English sentences, or is attending night school. The first clause of section 2 provides that no minor under sixteen shall work in any mercantile institution, office, laundry, manufacturing establishment, or workshop, between ten o'clock in the evening and six o'clock in the morning. Section 5 of the act further provides that nothing in the act is to be construed to prevent the employment of minors at agricultural, viticultural, horticultural or domestic labor, during the time the public schools are not in session, or during other than school hours. The petitioner's contention with respect to the first and last clause of section 2 is that they constitute such important parts of the statute that it cannot be presumed that the legislature would have adopted the other parts thereof if it had been aware of the invalidity of these particular provisions and hence the whole act must fall. We cannot accede to this proposition. They are separable and independent provisions and are not so important to the entire scheme as to justify us in concluding that the legislature would have refused to adopt the other parts without these, and thereby to declare the entire statute invalid.

Nor can it be conceded that these provisions are invalid. The principles already discussed apply with equal force to the first clause of the section. The proviso concerning illiterate children is a reasonable regulation to prevent those having control of such children from working them to such an extent as to hinder them from acquiring, or endeavoring to acquire, at least the beginning of an education before arriving at the age of sixteen years. The exemption of domestic labor and the several kinds of farming from the operation of the act is not an unreasonable discrimination. Such work is generally carried on at the home and as a part of that general home industry which should not be too much discouraged, and it is usually under the immediate care and supervision of the parents or those occupying the place of parents, and hence is not liable to cause so much injury. These circumstances distinguish them from the prohibited industries and is a sufficient reason for the exemption.

We find no reasonable ground for declaring the law invalid.

The Supreme Court of Michigan on the application of the statute forbidding employment of minors under 16 years at any employment by which life or limb is endangered. (Sterling v. Union Carbide Company, 105 Northwestern Reporter, page 755.)

This case involved the application of a statute relating to the employment of children under 16 years of age, any employment by which life or limb is endangered being thereby forbidden. Sterling was under 16 years of age, and was employed by the Union Carbide Company at putting sheets of metal through a corrugating machine. While so engaged he attempted to remove a partly detached corner from one of the sheets, and his hand was drawn into the rollers and severely injured.

Damages were allowed in the circuit court of Chippewa County, and, on appeal, by the supreme court of the state. Sterling testified that he knew he was liable to get hurt if his fingers got caught in the rollers, and that it was dangerous to reach toward the sheet when it was nearly through, but that he did not at the time have the danger in mind. He also testified that he was given no instructions as to the operation of the machine.

Judge Montgomery for the court said in part:—"It is insisted by appellant's counsel that the employment of the plaintiff was not the approximate cause of the injury. Whatever view may be entertained under statutes differently worded, we think it entirely clear that the disregard of the inhibition of this statute, by placing the plaintiff at work at an employment where his life or limb was endangered, constituted the negligence or wrong of which plaintiff has the right to complain, and that the causal connection between that wrong and the injury to plaintiff is clear. Closely connected with this question is that of assumption of risk. This question we regard as settled (i. e., that in such cases the risk is not assumed)."

The Supreme Court of Oregon on the Constitutionality of the Child Labor Law of 1905. (State v. Shorey, 86 Pacific Reporter, page 881.)

The defendant was accused by information of the crime of employing a minor under the age of 16 years for a greater period than ten hours a day, in violation of section 5 of the child labor law of 1905, which reads as follows: "No child under sixteen years of age shall be employed at any work before the hour of seven in the morning, or after the hour of six at night, nor employed for longer than ten hours for any one day, nor more than six days in any one week; and every such child, under sixteen years of age, shall be entitled to not less than thirty minutes for meal time at noon, but such meal time shall not be included as part of the work hours of the day; and every employer shall post in a conspicuous place where such minors are employed, a printed notice stating the maximum work hours required in one week, and in every day of the week, from such minors." General Laws of Oregon, 1905, p. 343.

A demurrer to the information was overruled, and he entered a plea of not guilty. Upon the trial it was stipulated that the averment of the information were true, and he was thereupon adjudged guilty and sentenced to pay a fine and costs. From this judgment he appeals, claiming that the law which he is accused of violating is unconstitutional and void because in conflict with the fourteenth amendment to the Constitution of the United States, which provides that no state shall "depriv any person of life, liberty, or property, without the process of law," and of section 1 of article 1 of the Constitution of this state, which reads: "We declare that all men, when they form a social compact, are

equal in rights." These constitutional provisions do not limit the power of the state to interfere with the parental control of minors, or to regulate the right of a minor to contract, or of others to contract with him. 2 Tiedeman on State and Fed. Con., §195. It is competent for the state to forbid the employment of children in certain callings merely because it believes such prohibition to be for their best interest, although the prohibited employment does not involve a direct danger to morals, decency, or of life or limb. Such legislation is not an unlawful interference with the parents' control over the child or right to its labor, nor with the liberty of the child. *People v. Ewer*, 141 N. Y. 129, 36 N. E. 4, 25 L. R. A. 794, 38 Am. St. Rep. 788, affirming *In re Ewer*, 70 Hun, 239, 24 N. Y. Supp. 500. Laws prohibiting the employment of adult males for more than a stated number of hours per day or week are not valid unless reasonably necessary to protect the public health, safety, morals or general welfare, because the right to labor or employ labor on such terms as may be agreed upon is a liberty or property right guaranteed to such persons by the fourteenth amendment to the Constitution of the United States, and with which the state cannot interfere. *Lochner v. New York*, 198 U. S. 45, 25 Sup. Ct. 539, 49 L. Ed. 937. But laws regulating the right of minors to contract do not come within this principle. They are not *sui juris*, and can only contract to a limited extent. They are wards of the state and subject to its control. As to them the state stands in the position of *parens patriæ* and may exercise unlimited supervision and control over their contracts, occupation, and conduct, and the liberty and right of those who assume to deal with them. This is a power which inheres in the government for its own preservation and for the protection of the life, person, health, and morals of its future citizens. "It has been well remarked," says Mr. Justice Gray in *People v. Ewer*, *supra*, "that the better organized and trained the race, the better it is prepared for holding its own. Hence it is that laws are enacted looking to the compulsory education by parents of their children, and to their punishment for cruel treatment; and which limit and regulate the employment of children in the factory and the workshop to prevent injury from excessive labor. It is not, and cannot be disputed, that the interest which the state has in the physical, moral, and intellectual well-being of its members warrants the implication, and the exercise, of every just power, which will result in preparing the child, in future life, to support itself, to serve the state, and in all the relations and duties of adult life to perform well and capably its part."

The supervision and control of minors is a subject which has always been regarded as within the province of legislative authority. How far it shall be exercised is a question of expediency and propriety which it is the sole province of the Legislature to determine. The judiciary has no authority to interfere with the Legislature's judgment on that subject, unless, perhaps, its enactments are so manifestly unreasonable and arbitrary as to be invalid on that account. It is not a question of constitutional power. "The constitutional guaranty of the liberty of contract," says Mr. Tiedeman, "does not, therefore, necessarily cover their [minors'] cases, and prevent such legislation for their protection. So far as such regulations control and limit the powers of minors to contract for labor, there has never been, and never can be, any question as to their constitutionality. Minors are the wards of the nation, and even the control of them by parents is subject to the unlimited supervisory control of the state." 1 Tiedeman on State and Fed. Con., p. 335. And Mr. Freund, in his work on Police Powers, says: "The constitutionality of legislation for the protection of children or minors is rarely questioned; and the Legislature is conceded a wide discretion in creating restraints." And: "Even the courts which take a very liberal view of individual liberty and are inclined to condemn paternal legislation would concede that such paternal control may be exercised over children, so especially in the choice of occupations, hours of labor, payment of wages, and everything

pertaining to education, and in these matters a wide and constantly expanding legislative activity is exercised." Freund, Police Power, §259.

We are of the opinion, therefore, that the law prohibiting the employment of a child under sixteen years of age for longer than ten hours in any one day is a valid exercise of legislative power. It is argued, however, that the provisions of the statute forbidding the employment of such a child at any work before the hour of seven in the morning or after the hour of six at night, is so manifestly unreasonable and arbitrary as to be void on that account. The defendant is not accused nor was he convicted of violating this provision of the statute, and is therefore not in a position to raise the question suggested.

It follows that the judgment of the court below must be affirmed, and it is so ordered.

UNITED STATES CENSUS 1900.

(Population, Vol. II, Part II, Table 65—p. 422.)

The following tables exhibit the actual numbers, not percentages, of illiterate children between the ages of ten and fourteen years in each state in 1900. In the official table the states are arranged alphabetically, and this is here reproduced in the left column.

For readier comparison the writer has compiled an additional table identical with that except that, instead of the alphabetical arrangement, the states are placed in the order of the literacy of the children, those states being grouped at the bottom of the scale which have the largest number of illiterate children, and those at the top which have the least number of illiterate children of the age under consideration. For greater convenience, the table is divided by horizontal lines into four groups of thirteen states each.

ILLITERATE CHILDREN BETWEEN THE AGES OF 10 AND 14 YEARS IN EACH STATE.

Alabama.....	66,072	1. Wyoming.....	72
Alaska.....	1,903	2. Oregon.....	175
Arizona.....	2,592	3. Idaho.....	209
Arkansas.....	26,972	4. Utah.....	220
California.....	1,279	5. Nevada.....	275
Colorado.....	742	6. Vermont.....	287
Connecticut.....	436	7. Washington.....	340
Delaware.....	845	8. Montana.....	374
District of Columbia.....	398	9. Hawaii.....	394
Florida.....	8,389	10. District of Columbia.....	398
Georgia.....	63,320	11. Nebraska.....	412
Hawaii.....	394	12. Connecticut.....	436
Idaho.....	209	13. South Dakota.....	472
Illinois.....	4,044	14. New Hampshire.....	557
Indiana.....	1,454	15. Rhode Island.....	691
Indian Territory.....	12,172	16. Colorado.....	742
Iowa.....	883	17. North Dakota.....	836
Kansas.....	878	18. Delaware.....	845
Kentucky.....	21,247	19. Kansas.....	878
Louisiana.....	55,691	20. Iowa.....	883
Maine.....	1,255	21. Maine.....	1,255
Maryland.....	5,859	22. California.....	1,279
Massachusetts.....	1,547	23. Oklahoma.....	1,295
Michigan.....	1,744	24. Minnesota.....	1,365
Minnesota.....	1,365	25. Indiana.....	1,453
Mississippi.....	44,334	26. Massachusetts.....	1,547
Missouri.....	11,660	27. Wisconsin.....	1,688
Montana.....	374	28. Michigan.....	1,744
Nebraska.....	412	29. Alaska.....	1,903
Nevada.....	275	30. Ohio.....	2,048
New Hampshire.....	557	31. New Jersey.....	2,069
New Jersey.....	2,069	32. Arizona.....	2,592
New Mexico.....	4,354	33. Illinois.....	4,044
New York.....	4,740	34. New Mexico.....	4,354
North Carolina.....	51,190	35. New York.....	4,740
North Dakota.....	836	36. West Virginia.....	5,819
Ohio.....	2,048	37. Maryland.....	5,859
Oklahoma.....	1,295	38. Pennsylvania.....	6,326
Oregon.....	175	39. Florida.....	8,389
Pennsylvania.....	6,326	40. Missouri.....	11,660
Rhode Island.....	691	41. Indian Territory.....	12,172
South Carolina.....	51,536	42. Kentucky.....	21,247
South Dakota.....	472	43. Arkansas.....	26,972
Tennessee.....	36,375	44. Virginia.....	34,612
Texas.....	35,491	45. Texas.....	35,491
Utah.....	220	46. Tennessee.....	36,375
Vermont.....	287	47. Mississippi.....	44,334
Virginia.....	34,612	48. North Carolina.....	51,190
Washington.....	340	49. South Carolina.....	51,536
West Virginia.....	5,819	50. Louisiana.....	55,691
Wisconsin.....	1,688	51. Georgia.....	63,320
Wyoming.....	72	52. Alabama.....	66,072
The United States.....	579,947	The United States.....	579,947

*See page Schedule B, Group VI.